

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-50749-2022

Date of Decision: 24.05.2023

TARSEM SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. P.S.Dhaliwal, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

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VIVEK PURI, J. (ORAL)

1. On 20.02.2023, following order was passed:

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.202 dated 20.10.2021 registered under Sections 376-D, 506 of IPC 1860 at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner contends that the FIR has been lodged against 5 unknown persons. Subsequently, the supplementary statement of the prosecutrix was recorded, in which Kuldeep Singh was nominated as an accused. After the arrest of Kuldeep Singh and during the course of his interrogation, Yudhvir Singh @ Yodha, Chhinder Singh and Neeta were nominated as accused. However, in subsequent investigation, the statement of Ranjit Singh, Sarpanch was recorded, wherein it was emerged that the petitioner is also known by the name of Chhinder Singh. It has further been submitted that the challan was presented against co-accused Kuldeep Singh and in term of the judgment dated 17.01.2023, he has been acquitted for the offence under Sections 376-D and 506 IPC and has been convicted under Section 323 IPC. During the course of trial, the prosecutrix has not supported the prosecution version against Kuldeep Singh.

Adjourned to 24.05.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

2. Learned counsel for the petitioner contends that in pursuance of

the interim directions, the petitioner has joined the investigation.

3. Learned State counsel, on instructions from SI Charanjit Singh, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 20.02.2023 is made absolute.

24.05.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No