

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

208

CRM-M-30590-2024

Date of decision: September 30th, 2024

Vicky

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anmol Puri, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.302 dated 28.09.2020 under Sections 376, 376-D, 354-A, 354-B, 427, 457, 342, 506, 323, 148, 149 of the IPC registered at Police Station Beas, District Amritsar.

2. Learned counsel for the petitioner, *inter alia*, contends that he has been falsely implicated in the case in hand for allegedly being involved in a case involving Section 376 of the IPC. While drawing the attention of this Court to the depositions annexed as Annexure P-4 to Annexure P-6, learned counsel submits that it is a matter of record that even the key material witnesses including the prosecutrix have not supported the case of the prosecution, and the main accused has since been acquitted. It has been submitted that even the doctor while stepping into the witness box as PW-7 has deposed to the effect that the injuries mentioned in the MLR could be a result of a fall on hard surface

and still further to the effect that there was no injury on the private part

of the victim. It has been submitted that in compliance of order dated 04.07.2024 passed by this Court, the petitioner has joined investigation and cooperated with the investigating agency.

3. Learned State counsel, on instructions from ASI Tejinder Singh, has not disputed the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, has informed the Court that identically placed co-accused, who had faced trial, have since been acquitted of the charges framed against them; one out of those accused has since expired. It has also not been disputed by the learned State counsel that no proceedings under Section 82 of the Cr.P.C. were ever initiated against the petitioner.

4. In view of the above, the petition is allowed and interim order dated 04.07.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

September 30th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No