

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

CRM-M No.42112 of 2014 (O&M)
Date of decision: 10.02.2015

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Pratham Sethi, Advocate
for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana
assisted by ASI Jai Mohammad.

Complainant in person with
Mr. Deepinder Singh, Advocate
for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the
Code of Criminal Procedure, the petitioner has sought anticipatory
bail, in case FIR No.450, dated 08.09.2014, registered under
Sections 363, 366, 376 and 506 IPC, at Police Station City Palwar,
District Palwal.

It is contended that the prosecutrix had earlier lodged an
FIR No.421 dated 21.08.2014, under Section 376 IPC, against her

father, who is a convict in FIR No. 553 dated 16.10.2006, under sections 376 and 120-B IPC and a complainant in FIR No. 439 dated 29.08.2014, under Section 354 IPC. The learned counsel refers to Annexure P-1 and states that the petitioner was on duty on the alleged time and on the date of occurrence i.e. 15.08.2014. The FIR was registered after due deliberation on 08.09.2014. The petitioner has been falsely implicated with a purpose to extract money from him. The prosecutrix being major was a consenting party. In pursuance of the order dated 10.12.2014, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 10.12.2014, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

10.02.2015

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(JITENDRA CHAUHAN)
JUDGE