

CRM-M-36662-2016

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

CRM-M-36662-2016

Date of Decision: 12.12.2016

Rajesh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Lekh Raj Sharma, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner, Rajesh Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.103 dated 22.09.2016, registered at Police Station Dhand, under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971, Sections 15(2) and 15(3) of the Indian Medical Council Act, 1956 and Sections 420, 336, 417, 315, 511, 411, 120-B, 332, 353, 186, 201 and 489 IPC.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

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From the record, I find that neither the petitioner has been named in the FIR, nor any attribution has been made to him. The main allegations are against the wife of present petitioner.

In pursuance of the interim order dated 12.10.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 12.10.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

12.12.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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