

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

**Criminal Misc.No.M-37312 of 2016 (O&M)
Date of Decision : 13th December, 2016**

Vijay Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Virender Soni, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.515 dated 05.08.2016,
registered at Police Station City Rohtak, District Rohtak, under Section (s)
377/34 IPC.

On 19.10.2016, this Court passed the following order:-

*“Learned counsel has argued that the petitioner has not
been named in the FIR.*

Notice of motion.

*On the asking of the Court, Mr. Kuldeep Tiwari,
Additional Advocate General, Haryana, accepts notice on
behalf of the respondent.*

*Learned counsel for the petitioner undertakes to supply a
copy of the petition to the learned Addl.A.G. during the course
of the day.*

Adjourned to 13.12.2016.

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In the meantime, in the event of arrest of the petitioner he shall be released on interim bail by the investigating officer subject to the conditions envisaged under Section 438(2) Cr.P.C. However, he shall join investigation as and when his presence is required.”

Learned State counsel, on instructions from ASI Kaptan Singh, has stated that the petitioner has joined the investigation and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Ordered accordingly.

Resultantly, the interim order dated 19.10.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(AJAY TEWARI)
JUDGE

13th December, 2016
mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No