

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

CRM-M-21837-2017

Date of decision: 17.8.2017

Baljeet Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.KS Khehar, Advocate for the petitioner

Ms.Mahima Yashpal, AAG, Haryana assisted by
ASI Rita

Mr.Vivek Suri, Advocate for the complainant

JITENDRA CHAUHAN, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought pre-arrest bail in case First Information Report No.84 dated 19.5.2017 registered under Sections 376, 506 of the Indian Penal Code at Police Station Kalka, District Panchkula.

Learned counsel for the petitioner contends that the prosecutrix had been residing with the petitioner in live in relationship since 2006. A child was born out of the relationship. However, at this stage, the paternity is being disputed by the petitioner. Learned counsel further submits that the complainant is habitual in raising such kind of complaint. He refers to First Information Report No.130 dated

4.12.2002, registered by the prosecutrix under Section 376 of the Indian Penal Code against one Narinder Puri, wherein no substance was found. Moreover, the petitioner in pursuance of the order dated 14.6.2017 has joined the investigation.

This factual aspect of the matter is duly acknowledged by learned State counsel. She further 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 14.6.2017, is made absolute, subject to his furnishing bail/ surety bonds to the satisfaction of learned Chief Judicial Magistrate / Duty Magistrate concerned.

The petition stands allowed.

17.8.2017
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No