

201/2.

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

CRM-M-23604-2017

Date of decision:06.11.2017.

ANIL

... Petitioner

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vikram Singh Lakhlan, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana,
for respondent No.1.

Mr. Devender Arya, Advocate,
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 438 read with Section 482 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.20 dated 07.03.2017 under Sections 323, 377 read with Section 34 IPC (Section 4 of POCSO Act has been deleted and Section 3 of SC & ST Act has been added), registered at Police Station Bahal, District Bhiwani.

Learned counsel for the petitioner states that pursuant to the order dated 07.07.2017 passed by this Court, petitioner has joined the investigation and even otherwise the complainant, namely, Ravi i.e.

respondent No.2 has submitted an affidavit dated 15.06.2017

(Annexure P-2) wherein no role has been attributed to the petitioner.

Learned State counsel, on instructions from HC Vijender Singh, states that no doubt the complainant has submitted an affidavit (Annexure P-2), but recovery of *bellan* is to be effected as the co-accused, namely, Rajiv has made a statement that the said *bellan* is in possession of the petitioner.

I have heard learned counsel for the petitioner.

Considering the fact that the petitioner has joined investigation, coupled with the fact that the complainant has given an affidavit wherein no role has been attributed to the petitioner, the present petition is allowed and the interim bail granted to the petitioner vide order dated 07.07.2017 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

(HARI PAL VERMA)
JUDGE

06.11.2017

sanjeev

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No