

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

**CRM No.M-30040 of 2016
Decided on: 15.05.2017**

Vinod Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Mukesh Yadav, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Mr. Sumit Dua, Advocate for the complainant.

REKHA MITTAL, J. (Oral)

Counsel for the petitioner has submitted that the petitioner has already joined investigation in terms of order dated 08.09.2016 and is ready to face the proceedings, in accordance with law. It is further submitted that the complainant aged about 27 years is working as a Teacher and the petitioner is even ready to perform marriage with her in case she so agrees.

Counsel for the State concedes to this position that the petitioner has joined investigation and his mobile phone has been recovered. It is further submitted that custodial interrogation of the petitioner is not required.

Counsel for the complainant has opposed the prayer for bail with the submission that in view of gravity of allegations, petitioner is not entitled to pre-arrest bail. It is further submitted that the petitioner was in contact with one Manju, friend of the complainant but

there was no relationship between the petitioner and the complainant since 2014. However, counsel for the complainant would state that the complainant is not ready to perform marriage with the petitioner.

I have heard counsel for the parties, perused the paperbook and the police records.

As per the allegations raised in the FIR, the complainant and the petitioner were in contact with each other telephonically and there were physical relationship between the two since 2015. The complainant is 27 years old and counsel representing her has not disputed that she is working as a Teacher. The petitioner has already joined investigation and his custodial interrogation is not required by the Investigating Officer.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 08.09.2016 is made absolute subject to the following conditions:-

- (i) He shall make himself available for interrogation by a police officer as and when required;*
- (ii) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (iii) He shall not leave India without the previous permission of the Court.*

15.05.2017
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes/No