

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

Crl. Misc. M-34655 of 2016 (O&M)
Date of Decision: July 27, 2017

Rajesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Rana, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Punjab.

Mr. Jagjeet Beniwal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No.50 dated 25.08.2016 under Sections 376, 506 of the Indian Penal Code, registered at Police Station Women, Panchkula.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned AAG Haryana for the respondent-State, on instructions from the Investigating Officer, submits that petitioner has joined the

investigation and he is not required for the custodial interrogation. It is also submitted that the investigation is complete and the challan will be filed, in due course.

The matter was taken up for hearing on 28.09.2016, when the petitioner was directed to join the investigation. During the pendency of the instant petition, the investigation was handed over to some other agency and voice samples of the petitioner were taken for analysis and as per the report, the voice samples have matched. It is submitted by the State that the challan will be put up.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, which has now been complete, without commenting on the merits of the case, the petition is allowed and order dated 28.09.2017 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

July 27, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No