

**203-2 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-45723-2016  
Date of decision-22.02.2017**

**Rajesh Kumar Arora**

**...Petitioner**

**Vs.**

**State of Haryana**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. D.D.Gupta, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana assisted by  
ASI Subhash Singh.

Mr. O.S.Batalvi, Advocate for the complainant.

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**JITENDRA CHAUHAN, J. (Oral)**

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.72 dated 07.05.2016 registered under Section 306 of Indian Penal Code (in short 'IPC') at Police Station Ambala Sadar, District Ambala.

On 22.12.2016, this Court had passed the following order:-

"Learned counsel contends that there is delay in lodging the FIR. The death took place on 15.04.2016 whereas the FIR was registered on 07.05.2016. The alleged suicide note on the basis of which the petitioner has been roped in the present FIR does not bear any date.

Notice of motion.

At the asking of the Court, Mr. Saurabh Mohunta, DAG, Haryana accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned counsel, in the Court.

At this stage, Mr. O.S.Batalvi, Advocate causes representation on behalf of the complainant and submits that after the bail was granted to co-accused, Kuldeep Singh, he has been threatening the complainant and the police is not entertaining the complaint lodged against the said co-accused, namely, Kuldeep Singh.

Meanwhile, in the event of arrest of the

petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1. That he shall make himself available for interrogation by a police officer as and when required;
2. That 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 from disclosing such facts to the Court or to any police officer and;
3. That he shall not leave India without prior permission of the Court.

In view of the apprehension expressed by the learned counsel for the complainant, State is directed to ensure that life and liberty of the complainant is fully protected and a prompt action on the representation filed by the complainant be taken by the competent authority as per law.

Post again on 02.02.2017.”

It is contended that in pursuance of the order dated 22.12.2016 the petitioner has joined the investigation.

The learned State counsel on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation. However, at this stage, learned counsel for the complainant states that the complainant is being threatened and intimidated by the petitioner repeatedly and she is being dissuaded not to appear in the Court proceedings.

In the circumstances, State is directed to take all necessary action to safeguard the life and liberty of the complainant and ensure that petitioner does not influence, coerce or intimidate the complainant and cause any impediment in the process of justice.

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 22.12.2016 is made absolute, subject to furnishing bail bonds/surety bonds

to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate,  
concerned.

The petition stands allowed.

February 22, 2017  
vanita

(JITENDRA CHAUHAN)  
JUDGE

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |