

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

CRM-M-45761-2016(O&M)
Date of decision: 23.5.2017

Vipin Sharma

....Petitioner

VERSUS

State of Haryana through Secretary

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Puneet Jindal, Senior Advocate with
Ms. Neha A. Mahajan, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Abhimanyu Singh, Advocate for the complainant.

REKHA MITTAL, J.(Oral)

Counsel for the petitioner would submit that the petitioner has already joined investigation in compliance with interim bail granted by this Court vide order dated 22.12.2016 wherein it was observed that reading of the FIR itself shows relationship between the petitioner and the complainant with consent. It is further submitted that the petitioner is ready to face the proceedings, in accordance with law, without any default.

Counsel for the complainant would urge that subsequent to grant of interim bail on 22.12.2016, the petitioner and his associates have created such a conduct which disentitles the petitioner to seek indulgence of this Court in exercise of discretionary jurisdiction. It is further submitted that complainant has already submitted an application dated 05.01.2017 to the Commissioner of Police, Gurgaon, complaining against the petitioner and unidentified person.

I have heard counsel for the parties, perused the paper-book and the police records.

Concededly, the petitioner has already joined investigation in terms of interim bail granted vide order dated 22.12.2016. No recovery is to be effected from the petitioner. State has not pressed for his custodial

interrogation. Counsel for the complainant has failed to place on record documents despite two months' time granted for the purpose vide order dated 21.03.2017. A copy of complaint purported to be made by the complainant neither bears any endorsement nor she has filed an affidavit to say something regarding its correctness.

In view of the above, the petition stands disposed of; interim bail granted to the petitioner vide order dated 22.12.2016 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 from disclosing such facts to the Court or to any police officer;
- (iii) he shall not leave India without the previous permission of the Court.

MAY 23, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No