

**203-3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-46762-2016
Date of decision-22.02.2017**

**Kapoor Singh
Vs.
State of Haryana**

**...Petitioner

...Respondent**

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.C.Shahpuri, Advocate for the petitioner.

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

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

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 29.12.2016, this Court had passed the following order:-

“Inter alia contends that co-accused Rajesh Kumar Arora and Kuldeep Singh and against whom there were identical allegations have been granted ad interim protection as regards arrest by this Court in CRM No.M- 45723 of 2016 and CRM No.M-45079 of 2016 respectively.

Notice of motion, returnable by 02.02.2017.

To be listed along with CRM No. M-45723 of 2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he

shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 29.12.2016

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 29.12.2016 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

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No