

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

**CRM-M No.7135 of 2017
Date of Decision : 11.07.2017**

Ravi

.....Petitioner(s)

Versus

State of Haryana and another

.....Respondent(s)

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present : Mr. Chanderhas Yadav, Advocate
for the petitioner(s).

Mr. Sanjay Saini, Asstt. Advocate General, Haryana
for respondent No.1-State.

Ms. Nimrata Kaur, Advocate
for the complainant/respondent No.2.

LISA GILL, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 83 dated 5th August, 2016 registered under Sections 376, 450, 506 IPC at Police Station Jhajjar, District Jhajjar.

The following order was passed by this Court on 3rd of March, 2017, in this case :-

“The petitioner is stated to be serving the Indian Army. It is submitted that FIR No. 83 dated 05.08.2016 registered under Sections 376, 450, 506 IPC at Police Station Women, Jhajjar, District Jhajjar has been registered due to certain misunderstanding with respondent No. 2. The petitioner and respondent No. 2 have friendly relations and it is due to familial pressure that the above said FIR has been registered.

Notice of motion.

At this stage, Ms. Nimarta Kaur, Advocate appears on behalf of respondent No. 2. It is stated that the

complainant, who is a major, has no objection in case the concession of anticipatory bail is afforded to the petitioner.

On the asking of the Court, Mr. Anmol Malik, AAG, Haryana, accepts notice on behalf of respondent No. 1.

List on 28.03.2017.

In the meanwhile, petitioner shall appear before the Investigating Officer and shall fully cooperate in the investigation of this case. In the event of his arrest, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that during the interregnum, the final report under Section 173 Cr.P.C. has been submitted. Charge has been framed and the complainant/respondent No.2 has testified before the learned trial Court. She has not supported the prosecution version.

The above said factual position is affirmed and verified by learned counsel for the State on instructions from SI Urmila Devi as well as learned counsel for the complainant/respondent No.2.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 3rd of March, 2017 is made absolute.

July 11, 2017

Dpr

(LISA GILL)

JUDGE

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