

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

CRM-M-11507-2018

Date of decision: 12.07.2018

Pawan Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. D.K. Tuteja, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 6 dated 02.02.2018 under Sections 498-A, 406, 506, 354, 377, 34 IPC, registered at Women Police Station Dadri.

Ms. Pooja Arora, Advocate, has appeared and filed power of attorney on behalf of the complainant.

This Court was pleased to pass the following order on 19.03.2018 :-

“Counsel for the petitioner contends that the allegations made in the FIR would not constitute any offence under Sections 406/498-A of the IPC. In fact, all the allegations, made regarding offence under Section 377 IPC, would not borne out from the transcript of a phone recording that took place between the husband

and wife, Annexure P-4. It is further argued that a reading of the said transcript would show that dispute, if any, is regarding the insistence of the petitioner to look after his aged parents. It is further submitted that the petitioner is ready to join investigation as well as to hand over the said phone recording.

Notice of motion for 12.07.2018.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 19.03.2018 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

12.07.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.