

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

**CRM-M-17395-2017
Date of decision: 26.02.2018**

Vijay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sutikshan Sharma, Advocate,
for the petitioner.

Mr.P.P. Chahar, DAG, 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. 44 dated 28.03.2017 under Sections 354-A(1)/ 376/ 506 IPC, registered at Women Police Station, Ambala.

This Court was pleased to pass the following order on
17.05.2017 :-

“Counsel for the petitioner inter alia contends that as per the allegations in the FIR, the complainant, a married lady developed friendly relationship with the petitioner which later turned into physical relationship between the two. When the in-laws family members of the complainant came to know about the said relationship, a quarrel took place in which Yogesh @ Kala suffered injuries and FIR No.0084 dated 16.03.2017 was registered by Varun Kumar, a cousin brother of the petitioner wherein father-in-law of the complainant

along with others have been accused of committing offence under Sections 148, 149, 323, 324 and 506 IPC. It is further submitted that no recovery is to be effected from the petitioner and he is ready to join investigation, in accordance with law.

Notice of motion.

Mr. Vikas Malik, DAG, Haryana accepts notice on behalf of the respondent.

Counsel for the petitioner is directed to supply a copy of paperbook to counsel opposite during course of the day.

In the meantime, the petitioner is directed to join investigation and on his appearance before the Investigating Officer, he shall be released on interim bail, subject, however to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. 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 them from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court. Adjourned to 17.08.2017.”*

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

Learned counsel for the respondent-State, on instructions from ASI Kulwinder, confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 17.05.2017 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.

26.02.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.