

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

Criminal Misc. No.M- 40223 of 2017(O&M)

Date of Decision: January 16 , 2018.

Mubeen PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Sanjay K.Saini, AAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.19 dated 04.03.2016 under Sections 384/376(2)(d)/120B IPC, registered at Police Station Women Nuh, District Mewat.

It is submitted that the abovesaid FIR was registered by one Misrupi. However on investigation, no truth was found in the allegations. Proceedings under Section 384 IPC were initiated against the complainant Misrupi alongwith the present petitioner and other co-accused. As per the prosecution case, the present petitioner used to allure customers and thereafter indulge in extortion by blackmailing them. The co-accused Hasina was afforded

the concession of anticipatory bail by this Court vide order dated 01.08.2017 in CRM No.M-21880 of 2017. Misrupi, it is informed, has been granted the concession of bail pending trial. It is further submitted that the petitioner has joined investigation pursuant to interim order passed by this Court. He is not involved in any other criminal case. Therefore, it is prayed that this petition be allowed.

As per affidavit dated 13.12.2017 of Mr. Amit Dahiya, HPS, Deputy Superintendent of Police, Nuh, the petitioner is not reported to be involved in any other criminal case. Learned counsel for the State, on instructions from ASI Mukesh, Police Station Women, Nuh, verifies that the petitioner has joined investigation and his custodial interrogation is not required.

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 before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 14.12.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

(**LISA GILL**)
JUDGE

January 16 , 2018.
'om'

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No