

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

CRM-M-7622-2018

Date of decision: 25.05.2018

Vinay @ Lovely

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. P.S. Sullar, 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. 7 dated 19.01.2018 under Sections 376/ 506/328 of the IPC, 66-E of I.T. Act registered at Police Station Women, Ambala City.

Mr. D.V. Dhindsa, Advocate, puts in appearance and files power of attorney on behalf of the complainant.

This Court was pleased to pass the following order on 22.02.2018 :-

“Learned counsel for the petitioner contends that the allegations as set out in the FIR are not sustainable. Reliance is placed upon the photographs annexed with the petition as Annexure P-2. It is further contended that the prosecutrix and her husband along with the petitioner had gone on a joint holiday which would reflect that no such incident alleged to have happened in

the month of June while further submitting that there is no MLR to support the allegations. He further submits that no recoveries are to be made and he is ready to join investigation.

Notice of motion.

On asking of the Court Mrs. Anju Arora, Addl. Advocate General, Punjab who is present in the Court, accepts notice on behalf of respondent-State. Learned counsel for the petitioner undertakes to supply three copies of the petition to the State counsel during the course of the day failing which no action is called for. Learned counsel for the respondent-State seeks time to file reply.

Adjourned to 25.05.2018.

Counsel for the petitioner very fairly submits that the petitioner will appear before the Investigating Officer on 27.02.2018 at 11:00 a.m. and will hand over the Mobile phone along with the SIM card as required. Ordered accordingly.

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 and he is not required for investigation any further.

Learned counsel for the respondent-State, on instructions from the investigating Officer, confirms the aforesaid fact.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 22.02.2018 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.

25.05.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.