

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

**Criminal Misc. No.M-13150 of 2019
Date of Decision: 08.07.2019**

Naveen Kumar

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Namit Khurana, Advocate for
Mr. Virender Soni, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.8 dated 04.02.2019 under Sections 354-C, 376(2)(n), 451, 506, 509 IPC registered at Police Station Women Sirsa, District Sirsa.

On 25.03.2019, following order was passed by this Court:-

“Learned counsel for the petitioner states that the petitioner and the complainant were involved in gambling (Satta). The prosecutrix had taken a sum of Rs.2,000/- so as to travel to West Bengal. The said amount of Rs.2,000/- was deposited by the father of the prosecutrix in the bank account of the petitioner. No such photographs as alleged in the FIR were ever taken by the petitioner.

Notice of motion for 17.05.2019.

Till next date of hearing, arrest of the petitioner shall remain stayed.”

Thereafter, on 17.05.2019, while adjourning the case for today, the petitioner was admitted on interim bail.

Counsel for the petitioner states that pursuant to aforesaid order dated 17.05.2019, the petitioner has joined investigation and his custody is no more required.

Learned State counsel, on instructions from ASI Ranbir, does not dispute the fact that the petitioner has joined investigation and his custodial interrogation is no more required. She further states that mobile has been recovered, but the photographs have not been retrieved from the mobile. the custodial interrogation of the petitioner is not more required.

At this stage, Ms. Arti Kaur, Legal Aid Counsel has put in appearance on behalf of the complainant and filed her *vakalatnama* in Court, which is taken on record. She says that she has no instructions in the case.

Having heard learned counsel for the parties and considering the fact that the petitioner has joined investigation and his custody is no more required, the present petition is allowed and the interim order dated 17.05.2019 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

July 08, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No