

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-24285-2019 (O & M)
Date of Decision: August 30, 2019

RAKESH KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Anu Bala Garg, Advocate for
Mr.V.P.Sangwan, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 650 dated 02.10.2018, under Sections 147, 149, 323, 341, 342, 365 and 506 of the Indian Penal Code, 1860 ('IPC' - for short), registered at Police Station Bhiwani City, District Bhiwani.

Learned counsel for the petitioner contends that the FIR is the outcome of misunderstanding between the parties and the matter has now been compromised. The co-accused have filed a petition, i.e. CRM-M No.11508 of 2019, for quashing of the FIR on the basis of compromise effected between the parties which is listed on 04.07.2019 and the parties have already got recorded their statements with regard to genuineness of the compromise. He has referred to the copies of the statement of the complainant and the co-accused, which are at Annexures P3 and P4 respectively. He also contends that the allegations in

the FIR *prima facie* do not constitute any offence under Section 365 IPC. Deepak, who was allegedly abducted, had not received any injury and had complained only of pain.

This Court, by the order dated 30.05.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel upon instructions from ASI Giriraj states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 30.05.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

August 30, 2019
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No