

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28877-2019

Date of decision-07.11.2019

Ram Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tarun Sharma, Advocate for
Mr.P.S.Jammu, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana.
Mr. Nitish Bhatia, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.208 dated 15.06.2019 under Section 306 read with Section 34 of Indian Penal Code, 1860 registered at Police Station Rania, District Sirsa. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 10.07.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the complainant herself has mentioned that the petitioner/accused was residing separately from her father. The agricultural land was transferred in the name of petitioner by father and subsequently on the basis of the consent decree, a tubewell was also transferred in the name of the petitioner. According to him, the

complainant is real sister of the petitioner, who has falsely indicted the petitioner in this case.

Notice of motion for 07.11.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Jagdish Raj does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Jagdish Raj further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.07.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

07.11.2019

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