

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14653-2020(O&M)

Date of decision: 16.6.2020

Dharmender

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Saurabh Bajaj, Advocate for the petitioner
Mr. Deepak Sabharwal, Addl. AG, Haryana

ANIL KSHETARPAL, J. (ORAL)

On 10.6.2020, following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No.142, dated 07.05.2020, registered under Sections 148/149/323/452/506/379B/354B IPC, at Police Station IMT, District Rohtak.

In a nutshell, the case of the prosecution is that late Sh. Ram Chander had died and 16 persons from the family of the first informant Sushila are in custody for his murder. Now the petitioner and other accused taking benefit of the fact that there are only ladies in the house of the first informant, attacked, tore her clothes while outraging her modesty. The petitioner is alleged to have also snatched silver chain from her neck.

Hearing of the case was held through video conferencing on account of restricted working of the Courts.

Learned counsel for the petitioner has drawn attention of the Court to the previous FIR No.53 dated 19.02.2020 got registered by the sister of the first informant with similar allegations. Learned counsel for the petitioner contends that the petitioner and other accused are being repeatedly falsely implicated in order to pressurize them and resile from their stand in a murder trial. Learned counsel for the petitioner further contends that 3 co-accused of the petitioner have been granted benefit of pre-arrest bail by the learned Sessions Judge vide order dated 01.06.2020, however, the request of the petitioner was declined only on the ground that there are allegations against the petitioner of snatching a silver chain from the first informant.

Notice of motion for 16.06.2020.

On asking of this court, Mr. Deepak Sabharwal, Additional Advocate General, Haryana, accepts notice on behalf of the State and opposed the prayer.

Keeping in view the facts of the case and without commenting on merits, the arrest of the petitioner is stayed till the next date of hearing subject

to his joining investigation as and when called upon by the Investigating Officer. In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. The petitioner shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Rajeev submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view of the above, order dated 10.6.2020 is hereby made absolute.

Petition stands allowed.

16.6.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No