

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

CRM-M No. 16625 of 2020

Date of Decision: 13.10.2020

Sanjeev Kumar

..... Petitioner

V/s.

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**Present: Mr. Sushil Kamboj, Advocate  
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

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**Manoj Bajaj, J.**

This petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 115 dated 17.03.2020 under Sections 307, 323, 343, 376D, 377, 506 Indian Penal Code, 1860 registered at Police Station Indri, District, Karnal, Haryana. The petitioner apprehended his arrest at the hands of police in the above FIR.

2. Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.06.2020, 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 allegations levelled by the complainant were wild in nature and, therefore, offences punishable under Sections 307, 376-D, 377 IPC were not incorporated in the final report submitted by SIT. According to the report, it was a case for the offences punishable under Sections 406 and 498-A IPC. It is pointed out that the petitioner had already joined the investigation in the subject FIR pursuant to the order passed by Additional Sessions Judge, Karnal. Learned counsel further placed reliance upon judgment passed by the Hon'ble Supreme Court in*

*“Arnesh Kumar Vs. State of Bihar and another”, 2014 (3) R.C.R (Criminal) 527.*

*Notice of motion for 13.10.2020.*

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

3. 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.

4. Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Mohan Lal, further states that the petitioner is not required for custodial interrogation for the time being.

5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.06.2020 is made absolute.

**October 13, 2020**

Sonia Puri

**(MANOJ BAJAJ)  
JUDGE**

**Whether Speaking/Reasoned    Yes/No**

**Whether Reportable                Yes/No**