

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

203

**CRM-M-18127-2020(O&M)
Date of Order:28.10.2020**

GAURAV SINGH

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Keshwav Partap Singh, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

Mr. Deepanshu Panwar, Advocate
for the first informant.

ANIL KSHETARPAL, J(Oral)

On 21.10.2020, the following order was passed:-

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

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.23 dated 21.04.2020 registered under Sections 376(2)(n), 354-C & 120-B of the IPC registered at Police Station Women Sector 51, Gurugram, District Gurugram.

As per case of the prosecution, the petitioner developed physical relation with the prosecutrix while extending false promise to marry her.

Learned counsel for the petitioner contends that it is an admitted case of the prosecution that the prosecutrix has been getting room booked in various OYO hotels. He further contends that the petitioner is being falsely implicated.

After having heard learned counsel for the parties at some length, this Court is of the considered view that let the petitioner joined the investigation.

Adjourned to 28.10.2020.

In the event of arrest of the petitioner, he shall be released on interim pre-arrest bail subject to his furnishing bonds and surety to satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do

so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Mr. Chetan Sharma, Assistant Advocate General, Haryana, on instructions from ASI Rekha, has submitted that the petitioner in this case has joined the investigation, cooperated and is not required for further custodial interrogation.

Mr. Deepanshu Panwar, Advocate, appearing for the first informant, asserts that the petitioner does not deserve the concession of pre-arrest bail as he is alleged to have committed a heinous crime and a lot of evidence is available against the petitioner.

This court has considered the submissions.

The question, at this stage, is as to whether the petitioner is required to be granted pre-arrest bail or not? It is for the trial court to appreciate the evidence brought on record while passing the judgment.

Keeping in view the statement made by Sh. Chetan Sharma, Assistant Advocate General, Haryana, the interim order dated 21.10.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

October 28, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No