

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

204

**CRM-M-19900-2020(O&M)
Date of Order:01.09.2020**

Parmod Kumar

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Tushant Deep Garg, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conference on account of restricted functioning of the Courts.

On 22.07.2020, the following order was passed:-

“This matter is being taken up for hearing through video conferencing due to the outbreak of the pandemic, COVID-19.

It is submitted that the petitioner has been falsely implicated in the present case due to factionalism in the village. The petitioner and the complainant are neighbours. Bare perusal of the FIR, it is submitted, reveals the falsity of the same. It is opposed to all probabilities that the petitioner would enter the complainant's house at midnight knowing fully well that the complainant's husband and children are present in the house. Moreover, it is contended that an unexplained delay of about a week in the registration of the FIR creates a further dent in the present case. The incident is alleged to have taken place at midnight of 28.06.2020, whereas the FIR is registered on 04.07.2020. The petitioner, it is submitted, is not involved in any other criminal matter.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana accepts notice

on behalf of respondent-State. Advance copy of the petition stands served upon the State.

At request, adjourned to 01.09.2020.

In the meanwhile, petitioner shall join investigation as and when required by the investigating agency and fully cooperate in the investigation of this case. In the event of his arrest, the petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

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

Keeping in view the aforesaid facts, the interim order dated 22.07.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

September 01,2020

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Whether speaking/reasoned

Whether reportable

(ANIL KSHETARPAL)

JUDGE

: Yes/No

: Yes/No