

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

CRM-M-6067-2020
Decided on : 05.10.2021

Nirmal Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amit Gupta, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Krishan Singh, Advocate
for the complainant.

Manjari Nehru Kaul, J.

Learned counsel for the petitioner has produced the copy of complaint dated 27.11.2019 filed by the complainant against the petitioner and other family members, which is taken on record subject to all just exceptions.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.09 dated 11.01.2020 under Sections 323, 354-A and 506 IPC 1860 registered at Police Station Women Yamuna Nagar District Yamuna Nagar.

Learned counsel for the petitioner inter alia contends that totally false and fabricated allegations have been levelled against the petitioner, who is father-in-law of the complainant. In fact, a complaint had been moved on 27.11.2019 to the Women Cell, Yamunanagar. However, in the said complaint, no such allegation of any sexual assault had been levelled against the petitioner and it was only levelled subsequently in the

FIR, which was registered on 11.01.2020. He states that the petitioner has joined the investigation in compliance of order dated 11.02.2020. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from HC Sulekha states that the petitioner has joined the investigation and is not required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 11.02.2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

05.10.2021
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(MANJARI NEHRU KAUL)
JUDGE

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