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

**CRM-M-11766-2020
Date of decision-12.08.2021**

HARISH KUMAR**...Petitioner**

Vs.

STATE OF HARYANA**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Shivam Grover, Advocate
for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.37 dated 26.02.2020 under Section 377 Indian Penal Code, 1860, registered at Police Station Radaur, District Yamunanagar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 20.03.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the FIR has been lodged after a long delay and the petitioner was not even known to the complainant. According to him, there was no occasion for the petitioner to exploit the complainant, much less for procuring a government

job for him, as he is working at a Dhaba with his father. It is pointed out that the allegations in the FIR are vague and lack all kind of particulars.

Notice of motion for 21.07.2020.

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.”

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.

Learned State counsel who is assisted by SI Krishan Lal does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 20.03.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

12.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No