

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

219

**CRM-M-26931-2021
Decided on : 25.11.2021**

Sadhev

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Yogeshwar Dayal Kaushik, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana
assisted by ASI Munesh.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 68, dated 20.03.2021, lodged under Sections 376(2)(n), 323, 406 & 506 of IPC, registered at Police Station Women, NIT Faridabad, District Faridabad (Haryana) (Annexure P-1).

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question as the complainant is a married lady and enjoying her marital status for the last 16 years. It is further contended that a perusal of the FIR reveals that if there was any physical relationship between the petitioner and the complainant, the same was a consensual one.

Learned counsel for the petitioner submits that pursuant to order dated 14th July, 2021, passed by this Court, the petitioner has joined investigation.

Learned State counsel on instructions from ASI Munesh, does not dispute the factum of the petitioner having joined investigation and has apprised the Court that his custodial interrogation is not required.

In view of the above, the petition is allowed and interim order dated 14th July, 2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

November 25, 2021

J.Ram

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