

CRM-M-27798-2021

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

CRM-M-27798-2021

Date of Decision:-17.09.2021.

Yunus

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Baljit Beniwal, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.97 dated 03.07.2021 under Sections 148, 149, 323, 324 341, 452 and 506 IPC, registered at Police Station Rojka Meo, District Nuh (Haryana).

Reply filed by the learned State counsel is taken on record.

On 19.07.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Case taken up through video conferencing.

It is contended by learned counsel for the petitioner that as a matter of fact minor daughter of the petitioner was assaulted by the son of complainant and

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FIR No.94 dated 1.7.2021, under Sections 148, 149, 323, 427, 452, 506 IPC and Section 8 of POCSO Act, 2012, P.S. Rojka Meo has been registered and as a counter-blast just to exert pressure upon the petitioner, he has been involved in this false case. He has further contended that even otherwise, the injury attributed to the petitioner is simple in nature and the petitioner is ready and willing to join the investigation.

Notice of motion.

Mr.Gaurav Bansal, AAG, Haryana accepts notice on behalf of the respondent-State. He seeks time to file detailed reply to the petition.

Adjourned to 17.9.2021.

I find it a fit case to grant interim bail to the petitioner. As such, the petitioner is directed to join the investigation by contacting the Investigating Officer within seven days from today and render all sort of co-operation. The petitioner is to surrender his passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. If in the meanwhile, he is arrested, he be released on bail to the satisfaction of the Investigating Officer/Arresting officer.”

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Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has already joined the investigation.

Learned counsel for the State, on instructions from Head Constable Raj Kumar, affirms the fact that the petitioner has joined the investigation and is not required for further investigation.

This Court has learned counsel for the parties.

Keeping in view the above facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and interim order dated 19.07.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the Trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

September 17, 2021.

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No