

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29494-2019

Decided on : 15.12.2021

Mukesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Varun Sharma, Advocate for
Mr. Akashdeep Singh, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANJARI NEHRU KAUL, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.296 dated 30.06.2021 under Sections 376(2) (n), 452, 406, 506 IPC, 1860 and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act, 1989, registered at Police Station City Gohana, District Sonapat.

Learned counsel for the petitioner submits that the complainant and the petitioner were in a relationship with each other which is discernible from the bare reading of the FIR and infact the FIR in question was lodged only when the petitioner refused to give some expenses to the prosecutrix, when she asked him for the same. Learned counsel for the petitioner has invited the attention of this court to the duly sworn-in affidavit of the prosecutrix, annexed as P3 dated 29.09.2020, wherein the complainant acknowledged receiving an amount of Rs. 1.5 lakhs from the petitioner. He further submits that pursuant to order dated 28.07.2021, passed by the co-ordinate Bench of this Court, the petitioner had joined investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ACP Nikhita Khattar, states that the petitioner is no longer required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 28.07.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

15.12.2021

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Whether speaking/reasoned:

Whether reportable :

Yes/No

Yes/No