

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM-M No.32222 of 2021
Date of Decision : 15.12.2021

Gourav Kumar

....Petitioner

Versus

State of Haryana

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.176 dated 15.06.2021 under Section 380 IPC registered at Police Station Pehowa, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by the Coordinate Bench of this Court dated 20.08.2021. Order dated 20.08.2021 is as under:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

CRM-26070-2021

Prayer made in the application is for impleading the complainant, Parmod Kumar S/o Ram Lal as party-respondent No.2 and to place on record amended Memo of parties.

For the reasons given in the application, it is allowed.

Complainant, Parmod Kumar is permitted to be impleaded as party-respondent No.2.

Amended Memo of parties is taken on record.

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Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.176 dated 15.06.2021, registered for offence under Section 380 of the Indian Penal Code, 1860, at Police Station Pehowa, District Kurukshetra (Annexure P-1). Counsel for the petitioner contends that the FIR (Annexure P-1) is a counter-blast to the complaint (Annexure P-2) submitted by the mother of petitioner on 15.06.2021 against the harassment being meted out to her and her family at the hands of the complainant. He submits that the petitioner is a young boy of 21 years of age and has been falsely implicated in the case. He submits that matter between the parties has been compromised by virtue of Compromise Deed dated 02.08.2021 (Annexure P-3). He further submits that though the petitioner is named as an accused in two other cases, but he is on bail in both the cases. He submits that the petitioner is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Kuldeep Tiwari, Additional Advocate General, Haryana accepts notice on behalf of respondent-State. Ms. Usha Rani, Advocate accepts notice on behalf of respondent No.2 and has filed the Power of Attorney through e-mail. She has admitted the factum of compromise between the parties.

List on 15.12.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from SI Janpal Singh states that in terms of the order of the Coordinate Bench of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 20.08.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, he will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

15.12.2021
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*