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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.35141 of 2020

Date of Decision: 27.04.2021

KAILASH

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rajesh Lamba, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, Asstt. A.G., Haryana.

Mr. Devender Kumar, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.30 dated 04.03.2020 registered under Sections 419, 376(2)(n), 323, 506 IPC at Police Station Women Central, District Faridabad, Haryana.

Allegations are of consensual relationship under the pretext of marriage.

Learned counsel for the petitioner submitted that the petitioner is physically handicapped to the extent of 40%. The alleged occurrence took place in the year 2018 and the FIR was

registered only on 04.03.2020. Petitioner is unmarried, whereas the complainant is a widow.

Notice of motion was issued on 02.11.2020 and arrest of the petitioner was also stayed.

Thereafter vide order dated 15.12.2020, petitioner was directed to join the investigation with interim order.

Petitioner could not join the investigation and thereafter one more indulgence was granted to the petitioner to appear before the Investigating Officer on 20.12.2020 to join the investigation to the satisfaction of the Investigating Officer vide order dated 15.12.2020.

Learned counsel for the petitioner submitted that in compliance of the aforesaid order dated 15.12.2020, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Suman admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

Learned counsel for the complainant however opposed the bail on the ground that there are specific allegations against the petitioner that he established physical relationship with the complainant under the pretext of marriage.

Having heard learned counsel for the parties, I deem it

appropriate to confirm the interim order dated 15.12.2020.
Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

April 27, 2021
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No