

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

**CRM-M No.41977 of 2020
Date of Decision : 27.01.2021**

Sandeep Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Nirmal Singh, Advocate
for the Petitioner.

Mr. Vishal Malik, Dy. Advocate General, Haryana
for the Respondent/State.

Mr. Jarnail S. Saneta, Advocate
for the Complainant.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.568, dated 26.10.2020, registered under Sections 354-D, 376, 511 of the Indian Penal Code, 1860 (Section 354-D IPC removed and Section 354-B of the IPC added, which was also removed later on) at Police Station Sadar Thanesar, District Kurukshetra.

2. Submission of Ld. Counsel for the Petitioner is that the FIR was motivatedly lodged against his Client as a counter-blast to the previous FIR No.0048 dated 28.01.2020 of the same Police Station (Thanesar Sadar), which was nine months earlier in point of time.

3. Submits further that in any event investigation against the Petitioner has already been completed and Challan submitted.

4. In this view of the matter, this Court is also of the opinion that further detention of the Petitioner at this stage is not called for, and his submission that the FIR against him was lodged purely as a counter-blast to the previous FIR No.0048 lodged against one Sonu @ Satbir of having committed an unnatural offence on minor Lovish Kumar, son of the Petitioner, cannot be dismissed outright since it transpires that Challan against the concerned culprit in the previous FIR, who happens to be a cousin of the present Complainant was actually submitted.

5. As such, without commenting any further on the merits of the present case but considering that further detention of the Petitioner for an indefinite period, at this stage, would not be called for and the fact that his custodial interrogation is no longer required since investigation against him has already been completed, the prayer of the Petitioner for Regular Bail is allowed and he is ordered to be released on bail subject to the satisfaction of the Ld. Trial Court/Duty Magistrate concerned.

6. Disposed off.

January 27, 2021
Dpr

(SUDIP AHLUWALIA)
JUDGE

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