

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM-M-3885-2022

Date of decision:- 07.03.2022

Sikandar Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Diwan S. Adlakha, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

Mr. Inderjeet Singh, Advocate for the complainant.

...

SUVIR SEHGAL, J. (Oral)

On 31.01.2022, this Court passed the following order:-

“Heard through video conferencing.

Instant petition has been filed under Section 438 Cr.P.C seeking grant of anticipatory bail to the petitioner in case FIR No.11 dated 22.01.2021 registered for commission of offences under Sections 323, 376, 377 of Indian Penal Code, 1860, (Sections 342, 354, 376-D, 406, 506, 120- B, IPC were deleted later on) at Women Police Station Yamuna Nagar, District Yamuna Nagar (Annexure P-1).

Counsel for the petitioner submits that the prosecutrix, who is a married lady was in live-in-relationship with Sharukh Khan, brother of the petitioner. He submits that the allegation against the petitioner is that on the fateful day, he alongwith his brother went to the house of the prosecutrix, administered intoxicant and committed rape. Counsel urges that after investigation, the petitioner was found innocent and has been summoned as an additional accused under Section 319 Cr.P.C., vide order dated 14.12.2021 (Annexure P-2). By referring to the Disability Certificate (Annexure P-7) and Medical Record (Annexure P-8), counsel urges that the petitioner has 40% permanent disability and is unable to walk unaided. He has instructions to state that the petitioner would appear before the trial Court within any reasonable time granted by this Court.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana accepts notice on behalf of the respondent-State. Mr. Inderjeet Singh, Advocate appears on behalf of the complainant.

Petitioner is directed to appear before the trial Court within a period of one week from today and join the proceedings. On doing so, he shall be released on interim bail subject to furnishing bail/surety bonds to the satisfaction of the Court concerned.

List on 07.03.2022.”

Counsel for the petitioner submits that pursuant to the above reproduced order, the petitioner has surrendered and joined the proceedings before the Trial Court on 01.02.2022. He has placed on record a *Xerox* copy of the order passed by the Trial Court.

The aforesaid fact has been affirmed by the State counsel upon instructions from L/ASI, Kamla Rani.

In view of the above, order dated 31.01.2022 is made absolute.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

07.03.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No