

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

Sr. No.212

CRM-M-4454-2022

Date of decision: 27.07.2022

Vinod Kumar

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.294 dated 18.12.2021 registered under Sections 376(2)(N), 341, 452 and 506 IPC at Women Police Station Yamuna Nagar, District Yamuna Nagar.

On February 03, 2022, this Court had passed the following order:-

“Instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.294 dated 18.12.2021 under Sections 376(2)(N), 341, 452 and 506 IPC, 1860 registered at Police Station Women District Yamuna Nagar.

Learned counsel for the petitioner inter alia contends that the prosecutrix, who is the sister of petitioner's sister-in-law, was admittedly in a consensual relationship with the petitioner as is evident from certain photographs which are annexed with the petition as Annexure P-3. However, later on, as their relations turned sour and they broke up, the prosecutrix planted a false and fabricated case against him alleging therein that he had forcibly established physical relations with her on the pretext of getting her a job. He further submits that it cannot be digested and is unbelievable that the

petitioner continued to establish forcible physical relations with the prosecutrix and continued to threaten her for as long as two years and still she chose to keep mum about it.

Notice of motion for 27.07.2022.

Mr. Sanpreet Sandhu, Advocate has put in appearance on behalf of the complainant and filed his power of attorney in Court today through whatsapp, which is taken on record. Original be filed in the Registry.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 03.02.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

July 27, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No