

217 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6471-2022

Date of Decision: 23.05.2022

RAHUL @ MOHD. SAIF

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Randhir S. Hooda, Advocate, for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No.38 dated 05.08.2020 registered under Sections 354-C/376 and 506 IPC read with Section 67-B of IT Act at Police Station Women Nuh.

On 07.03.2022, following order was passed in the main case:-

"Petitioner is seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 38 dated 05.08.2020, under Sections 354-C/376/506 IPC, 1860 read with Section 67B of IT, Act, registered at Women Police Station Nuh.

Learned counsel for the petitioner contends that there are sweeping allegations against the petitioner levelled in the initial statement of the victim. The petitioner was found innocent during the course of investigation and has been summoned on the application under Section 319 Cr.P.C. Furthermore, the co-accused namely, Muaz @ Maaz has been granted regular bail by the trial Court. The case in the trial Court is now fixed for 10.03.2022.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State.

Mr. Salman Ahmed has put in appearance on behalf of the complainant.

Adjourned to 16.05.2022.

Keeping in view the fact that the petitioner has been summoned under Section 319 Cr.P.C, he is directed to surrender

before the trial Court within a period of 07 days from today and on his doing so he shall be admitted on interim bail to the satisfaction of the trial Court.

This order is further subject to the condition that the petitioner shall comply with the provisions of Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has surrendered before the trial Court and has been admitted on interim bail.

Learned State counsel, on the instructions from ASI Sunita, has not assailed the aforesaid factual aspects and states that the petitioner has surrendered before the trial Court.

In view of the aforesaid submissions, the order dated 07.03.2022 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.

The petitioner shall furnish fresh bail bonds to the satisfaction of the trial Court/Duty Magistrate within a period of one month.

The petition is allowed.

23.05.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No