

211-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5625-2022
Date of decision: 06.04.2022

SURENDER

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Shokeen Singh Verma, Advocate
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.509 dated 09.07.2021, registered under Sections 323/354/506/120-B IPC, 1860 at Police Station Kharkoda, District Sonapat.

On 17.02.2022, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No.509 dated 09.07.2021 under Sections 323, 354, 506 and 120-B IPC, registered at Police Station Kharkhoda, District Sonapat.

Briefly, the allegations against the petitioner and the co-accused are to the effect that on 04.07.2021, they had inflicted injury and outraged the modesty of the complainant.

Learned counsel for the petitioner contends that the present FIR has been registered as a counter-blast to the FIR No. 500 of 2021 registered at Police Station Kharkhoda at the instance of the niece of the petitioner. The niece of the petitioner and complainant are Kabaddi players and on the evening hours of 04.07.2021, the niece of the petitioner was given beatings by the family members of the present complainant. Consequently, the present FIR has been registered as a cross-version case as a result of afterthought.

The injury on the person of the complainant are simple in nature and the allegations with regard to outraging the modesty have been levelled against co-accused Anita who has been granted interim bail, Shri Kant, brother of the petitioner has also been granted interim bail and the allegations against the petitioner are to the effect that he had given slap to the complainant.

Notice of motion.

Mr. Vikas Bhardwaj, AAG Haryana accepts notice on behalf of the State.

Adjourned to 06.04.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation and even the Investigating Agency is contemplating to present the cancellation report in the matter.

On instructions from ASI Reena, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 17.02.2022, 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 petition is allowed.

06.04.2022

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(VIVEK PURI)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No