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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8538-2022 (O&M)
Date of Decision:05.07.2022

Nitin

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Inder Singh, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.0117 dated 23.07.2021 registered under Sections 467, 468, 471, 500 and 501 IPC and Section 67-A Information and Technology Act, 2000 at Police Station Sadar Jagadhari, District Yamuna Nagar, who apprehends his arrest at the hands of Police.

On 28.02.2022, this Court had passed the following order:

“Learned counsel contends that the petitioner and complainant were friends since 2018 and the alleged act of uploading pictures and messages by petitioner is of April, 2021, whereas the FIR has been lodged in July, 2021. According to him, the petitioner has been falsely implicated, who at the instance of complainant's father had met the fiancée of the complainant. According to him, in the given facts, custodial interrogation of the petitioner may not be necessary and the petitioner is willing to join the interrogation.

Notice of motion.

At this stage, Mr. Sukhdeep Parmar, DAG, Haryana accepts notice on behalf of respondent-State and on instructions from Inspector Ram Kumar has

submitted that for creating the said facebook ID, mobile phone of the petitioner was used. However, he is unable to reveal the nature of the substance uploaded and prays for time.

Adjourned to 05.07.2022.

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 has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel, who is instructed by SI Mem Singh, states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 28.02.2022 is made absolute.

05.07.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No