

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

CRM-M-9790-2021 (O&M)

Date of decision: 12.05.2022

Rajpal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. K. Tripathi, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. Munish Behl, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 03 dated 06.01.2021, registered under Sections 294, 328, 34 of the IPC at Police Station B.P.T.P., District Faridabad.

The operative part of the order dated 22.03.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Status report filed by the State is taken on record.

For arguments adjourned to 10.05.2021.

Seeking ad interim anticipatory bail, learned counsel for the petitioner submits that petitioner who is a 65 years old man has been falsely implicated in the case at the behest of the complainant, who is his daughter-in-law, only because she has an evil eye on his property; there is unexplained delay of 25 days in lodging of the FIR as the alleged incident is dated 14.12.2020 and the FIR was lodged on 06.01.2021; for the last 21 years of marriage of the petitioner's son and the complainant no such allegation

was ever made by the complainant; the allegations with regard to the petitioner putting two tablets of salphaz in the complainant's mouth are not just highly improbable but virtually impossible as salphaz tablets are so pungent that it is impossible to administer them forcibly; there is no other criminal case pending against the petitioner; co-accused have been granted regular bail by the Trial court and that the petitioner is ready and willing to join the investigation as and when called by the investigation agency.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 22.03.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, assisted by learned counsel for the complainant, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 22.03.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

12.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No