

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

(Sr. No. 202)

**CRM-M No.9782 of 2022  
Date of decision : 10.08.2022**

**Harsh Kumar**

.....Petitioner

*Versus*

**State of Punjab and another**

.....Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. Anter Preet Singh, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

\* \* \*

**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. 107 dated 11.10.2021 registered under Sections 363 and 366 IPC at Police Station Rahon, district Shaheed Bhagat Singh Nagar.

On 08.03.2022, this Court had passed the following order : -

*“The matter has been taken up through Video Conferencing.*

*Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case as he and respondent No.2-the complainant's daughter are in a live-in relationship which relationship is not accepted by the complainant; respondent No.2 left her father's house because the complainant was maltreating her; respondent No.2 voluntarily opted to stay with the petitioner; as on date respondent No.2 has attained majority and even today is living with the petitioner with her free consent; there is no other criminal case pending against the petitioner and that the petitioner*

*is also ready and willing to join and cooperate the investigation as and when called by the investigating agency.*

*Learned counsel for respondent No.2, who appears on advance notice, acknowledges the fact that respondent No.2 who has since attained majority, is voluntarily living with the petitioner.*

*Notice of motion.*

*Ms. Bhavna Gupta, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.*

*For arguments, adjourned to 10.08.2022.*

*In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.107, dated 11.10.2021, registered under Sections 363, 366 IPC at Police Station Rahon, District Shaheed Bhagat Singh Nagar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."*

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation 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 08.03.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

**10.08.2022**

*sunil yadav*

**( DEEPAK SIBAL )  
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No