

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-9956-2022

Date of decision : 23.08.2022

Bheem Singh @ Bhim

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Abhinav Sood, Advocate, for the petitioner.

Mr.Karan Sharma, DAG, Haryana.

Mr.Sumit Kumar, Advocate, for

Mr.Baljeet Beniwal, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.58 dated 04.02.2022 registered under Sections 120-B, 376 and 506 IPC at Police Station City Palwal, Tehsil and District Palwal.

On 09.03.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case at the behest of the complainant who by her own consent had physical relations with the petitioner and now has come under pressure of her family; the petitioner has no other criminal case pending against him; there is an unexplained delay of 4 years in lodging of the present FIR; the allegations in the FIR are absolutely vague with no specific details emerging therefrom; the petitioner and the complainant have exchanged thousands of messages between them showing the close relations between them; script of the few messages is annexed as Annexure P-3; in fact, on 02.03.2021 the petitioner and the complainant had got married and in this regard reference is made to a marriage certificate between the parties Annexure P-1, which contains photographs of both of them; admittedly, the petitioner and the complainant also travelled together showing the closeness of their relations; no recovery is required to be made from the petitioner and that the petitioner is also ready and willing to join and cooperate with the investigation as and when called by the investigating agency.

Notice of motion.

Mr.Sumit Jain, Additional Advocate General, Hararyana, accepts notice on behalf of the respondent-State and Mr.Baljeet Beniwal, Advocate puts in appearance on behalf of the complainant.

For arguments, adjourned to 23.08.2022.

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.58, dated 04.02.2022, registered under Sections 120-B, 376, 506 IPC at Police Station City Palwal, District Palwal, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer. ”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order and the afore-referred statement made by learned State counsel, the order of this Court dated 09.03.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

23.08.2022

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Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

[DEEPAK SIBAL]

JUDGE