

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

Sr. No.201

CRM-M-11167-2022

Date of decision: 25.08.2022

Vishal

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sukesh K. Jindal, Advocate, for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

Mr. Sawan Chaudhary, Advocate, for the complainant.

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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.115 dated 22.02.2022 registered under Sections 323, 354-B, 506, 509 and 34 IPC at Police Station Old Industrial, Panipat.

On 16.03.2022, 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, who is a 21 year old man, has been falsely implicated in this case at the behest of his sister-in-law due to familial disputes between the parties over property; the petitioner has no other criminal antecedents; there is an unexplained delay of 4 days in lodging of the FIR; there is no medical evidence to support the allegations made in the FIR; on the same day when the FIR in question was lodged the petitioner's wife had filed a Civil Suit seeking therein to restrain the complainant and others from forcefully dispossessing her from the house which is the fulcrum of dispute between the parties; in such suit the Trial Court has issued and granted status quo in favour of the petitioner's wife; the FIR in question is also a counter blast to the several complaints

made earlier by the petitioner to the police against the complainant and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms. Sheenu Sura, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 25.08.2022.

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.115 dated 22.02.2022 registered under Sections 323, 354-B, 506, 509 and 34 IPC at Police Station Old Industrial, Panipat, 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 passed by this Court, the petitioner has joined and co-operated with the investigation which is now complete 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 16.03.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

August 25, 2022

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No