

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-15634-2022-

Date of decision:- 30.11.2022

Mukesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Davneet Sangwan, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.505 dated 24.12.2021, registered for offences under Sections 365, 376 and 34 of the Indian Penal Code, at Police Station Kunjpura, District Karnal, Annexure P-1.

On 23.05.2022, this Court passed the following order:-

“Counsel for the petitioner submits that allegation of sexual assault has been levelled against co-accused, Deepak, who has been arrested and challan qua him, has been presented. He submits that trial against Deepak has started and the prosecutrix and her father, who have been examined as witnesses, have not supported the case of prosecution. Counsel contends that role ascribed to the petitioner is that he was accompanying the main accused and even motorcycle on which they allegedly abducted the prosecutrix has been traced to co-accused, Deepak.

List on 28.09.2022.
Meanwhile, the petitioner shall join the investigation and would come present as and when called by the Investigating Officer and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Upon instructions, State counsel submits that the petitioner has joined the investigation pursuant to order dated 23.05.2022 passed by this Court and he is no longer required for custodial interrogation as investigation is complete and challan has been presented.

In view of the above, but without examining the merits of the case, present petition is allowed.

Order dated 23.05.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

30.11.2022
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No