

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

Sr. No. 204(1)

**CRM-M No.16245 of 2022 (O&M)
Date of decision : 05.09.2022**

Vishambar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Manish Mehta, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

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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.165, dated 19.03.2020, registered under Sections 363, 365, 366-A, 120-B IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station City Narnaul, district Mahendergarh.

On 21.04.2022, 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 primarily for the reason that the complainant's daughter got married to the petitioner's nephew without the complainant's consent; the petitioner has no other criminal case pending against him; the main accused - Bhale Singh who is accused of abducting the complainant's daughter has performed marriage with her; co-accused Bhale Singh has been granted regular bail by this Court; the alleged victim has stated before the Magistrate under Section 164 Cr.P.C. that she had gone

with co-accused Bhale Singh of her own and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr. Sumit Jain, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 05.09.2022.

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.165, dated 19.03.2020, registered under Sections 363, 365, 366A, 120B IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station City Narnaul, District Mahendergarh, 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 21.04.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

05.09.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No