

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

228

**CRM-M-16711 of 2022
Date of decision :21.09.2022**

Shakeel

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR JUSTICE SUVIR SEHGAL

Present:- Mr. P. S.Ahluwalia, Advocate, for the petitioner

Ms. Mahima Yashpal, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

On 25.04.2022 this Court passed the following order :-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “the Code”) for grant of anticipatory bail in FIR No.0250 dated 26.11.2018, registered for offence under Section 346 of the Indian Penal Code, 1860 (Sections 363, 366 and 376-D, IPC were added and Section 346, IPC was deleted, later on), at Police Station Pinangwan, District Nuh (Annexure P-1).

Counsel for the petitioner contends that FIR (Annexure P-1) has been registered on the statement of father of the prosecutrix, on the allegation that his 18 year old daughter is missing. Counsel submits that after the prosecutrix was recovered, her first statement under Section 164 of the Code, was recorded on 29.11.2018 (Annexure P-4), wherein, she has stated that she left her paternal home of her own accord, went with coaccused, Wasim and that she does not want to go back. He submits that almost 14 months later, her second statement under Section 164 of the Code, has been recorded on 23.01.2020 (Annexure P-5), wherein, she has levelled allegations of sexual assault against the petitioner and other accused. He submits that the petitioner has been summoned as an additional accused vide order dated 25.11.2021 (Annexure P-3) on an application filed under Section 319 of the Code and he is ready to join the proceedings.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. Upon instructions from P/SI, Nikhil, she submits that in the second statement (Annexure P-5), specific allegations of sexual assault have been levelled against the petitioner.

In case, the petitioner surrenders before the Trial Court and joins the proceedings within a period of 10 days from today, he shall be released on interim bail to the satisfaction of the Court concerned.

List on 21.09.2022.”

Learned counsel for the petitioner submits that petitioner has surrendered before the trial Court and has joined the proceedings in compliance of the order passed by this Court on 25.04.2022 and has been released on ad-interim bail. This fact has been verified by the learned State counsel.

In view of the above, order dated 25.04.2022 is made absolute.

The present petition is disposed of, accordingly.

(SUVIR SEHGAL)
JUDGE

21.09.2022
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>