

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-20545-2022 (O&M)

Date of decision : 14.09.2022

Sumit

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Keshav Pratap Singh, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.71 dated 26.03.2022 registered under Sections 313, 323, 34, 376(2)(n), 377, 406, 498-A and 506 IPC at Women Police Station, NIT, Faridabad.

On 13.05.2022 this Court had passed the following order: -

“Learned counsel for the petitioner *inter alia* contends that the petitioner, who is a 20 year old boy, has been falsely implicated in this case at the behest of the complainant who is a married lady aged 34 years and only because the consensual relationship between them turned sour; the whatsapp chats exchanged between the petitioner and the complainant and their photographs (Annexures P-4 to P-6) clearly show the consensual relationship between them; in her statement under Section 164 Cr.P.C. the complainant has given a clean chit to the petitioner; there is no evidence whatsoever to support the allegations of abortion by the complainant; the allegations of theft/misappropriation of the complainant's jewellery are also on the face of it false; 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.

Notice of motion.

Mr.Sumit Jain, Addl.A.G., Haryana, accepts notice on behalf of the respondent and prays for time to argue the matter.

Adjourned to 14.09.2022.

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.71 dated 26.03.2022 registered under Sections 313, 323, 34, 376(2)(n), 377, 406, 498-A and 506 IPC at Women Police Station, NIT, Faridabad, District Faridabad, 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 13.05.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

14.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No