

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

**Sr. No.201**

**CRM-M-22982-2022**  
**Date of decision: 29.10.2022**

Amit

....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. J.S. Santwal, Advocate,  
for the petitioner.

Mr. Sheenu Sura, DAG, Haryana.

Mr. Virender Soni, 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.70 dated 16.02.2022 registered under Sections 147, 149, 323, 354, 379-A, and 506 IPC at Police Station Sadar Jind, District Jind.

On 08.07.2022, this Court had passed the following order:-

“Briefly stated, the case of the prosecution is that the petitioner gave beatings to the complainant and her family members as also molested the complainant.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case for the reason that the petitioner's mother had purchased a property from the complainant's father which transaction was later disputed by the complainant's family resulting in the lodging of a FIR on 07.03.2021 by the petitioner's mother against the complainant and her family members; the allegation in the FIR that the petitioner gave beatings to the complainant on her private parts is not supported by any medical evidence; similarly the allegation that

the petitioner has broken the complainant's tooth is also not supported by any medical evidence; in any case, even if the case of the prosecution is taken as the gospel truth, though vehemently denied, it refers to only simple injuries by the petitioner; the complainant has opposed the grant of bail to the petitioner inter alia on the ground that during the pendency of the present petition the petitioner had given beatings etc. to one Om Parkash who was an aide of the complainant; on verification by the State such allegations by Om Parkash have been found to be false as at the time and date when Om Parkash alleges that the petitioner committed the alleged crime he was about 70-80 kilometers away from the alleged spot of occurrence and that the petitioner is also ready and willing to join and cooperate with the investigation.

Learned State counsel opposes grant of bail to the petitioner on the ground that he is alleged to have given injuries to the complainant as also committed theft but does not dispute that the preliminary investigation has shown that the allegations in the complaint by Om Parkash with regard to the petitioner having given him beatings/caused snatching are incorrect and that the medical evidence collected so far does not show any injury on the complainant's private parts. Learned State counsel also does not dispute that at an earlier point of time the petitioner's mother had got lodged a FIR against the complainant and her family members under Sections 323, 34, 341, 427 and 506 IPC.

Adjourned to 13.10.2022.

Before the adjourned date, the State shall file a fresh status report.

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.70 dated 16.02.2022 registered under Sections 147, 149, 323, 354, 379A and 506 IPC at Police Station Sadar, Jind, District Jind, 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 the investigation; co-operated with the investigating agency 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 08.07.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

**October 29, 2022**  
*Jyoti 1*

**(DEEPAK SIBAL)**  
**JUDGE**

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |