

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205

CRM-M-26143 of 2021
Date of decision:21.02.2022

Bhopal Singh

... Petitioner

Vs.

The State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. B.K.Saini, Advocate for
Mr. Govind Chauhan, Advocate
for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 Cr.P.C seeking anticipatory bail in FIR No.0084 dated 23.03.2021 registered under Sections 294, 313, 323, 328, 354-A, 354-D, 376, 406, 498-A, 506, 509, 511 of Indian Penal Code, 1860 at Police Station Nissing, District Karnal (Annexure P-1).

While granting interim protection to the petitioner, this Court passed the following order on 12.07.2021:-

“Learned counsel for the petitioner, while praying for anticipatory bail to the petitioner in the instant FIR, would contend that the only allegation against him is that he teased the complainant and caught hold of her, while attempting to outrage her modesty in the presence of her in-law. It is

submitted that the petitioner is a retired police official and has been implicated only to harass him. It is also argued that the incident complained of pertains to December, 2019, whereas the instant FIR has been registered on 22.3.2021 i.e. after an inordinate delay of about one and a half year. It is also argued that custodial interrogation of the petitioner would not be required as no recovery is to be effected from him and he is ready to join the investigation.

Notice of motion.

Ms. Deepshikha Chauhan, AAG, Haryana, who is present through the medium of video conferencing, accepts notice on behalf of the respondent—State and seeks time to file reply.

Adjourned to 13.12.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Status report by way of an affidavit of Deputy Superintendent of Police, Karnal-I, has been filed on behalf of the respondent-State, wherein, it has been submitted that the petitioner has joined the

investigation, final report under Section 173 Cr.P.C has been prepared and there is no other criminal case against him.

Upon instructions from ASI Praveen, State counsel submits that the petitioner is no longer required for the custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 12.07.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

February 21, 2022

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No