

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

207

CRM-M-35191-2021

Date of decision: 10.05.2022

Adil Khan

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ashish Grewal, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

Ms. Ishita Jain, Advocate for the complainant.

SUVIR SEHGAL J. (ORAL)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail in FIR No.151 dated 14.08.2021, registered for offences under Sections 376(2)(e), 328, 506 of the Indian Penal Code, 1860, at Women Police Station, District Yamuna Nagar, Haryana, Annexure P-1.

While granting interim protection to the petitioner, this Court passed the following order on 27.08.2021 :-

“ Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that the petitioner and the

complainant were in a live-in relationship as would be evident from the affidavit of complainant herself. It is further submitted that due to some misunderstanding an FIR was got registered but thereafter both the parties solemnized marriage and a compromise deed was arrived at 18.06.2021. However, due to temperamental differences, once again another FIR was registered on 14.08.2021. It is contended that the petitioner is ready and willing to join the investigation.

Notice of motion.

Ms. Mahima Yashpal, DAG, Haryana appearing through the medium of video conferencing accepts notice on behalf of the respondent State.

Petitioner is directed to join the investigation within a period of one week and on doing so, 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 incorporated under Section 438(2) Cr.P.C.

Adjourned to 17.02.2022 ”

Reply by way of affidavit of Deputy Superintendent of Police, Radaur (Yamuna Nagar), has been filed on behalf of the respondent-State, which is taken on record.

By referring to paras 7 and 8 of the preliminary submissions of the reply, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 27.08.2021

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.

10.05.2022

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No