

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM-M-32990-2022-

Date of decision:- 01.12.2022

Harender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Kunal Dawar, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail to the petitioner, who has been summoned as an additional accused for commission of offences under Sections 366-A and 120-B of the Indian Penal Code, 1860 in case FIR No.42 dated 16.02.2020 registered for offences under Sections 323, 365, 366-A and 34 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Sadar Palwal, District Faridabad, Haryana.

On 29.07.2022, this Court passed the following order:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case on account of his close relationship with the main accused Gaurav with whom the complainant's daughter was in consensual relations which was not consented to by the complainant; the petitioner has no other criminal antecedents; in the investigation conducted by the State, the petitioner was found innocent and has been summoned to

face trial in proceedings under Section 319 Cr.P.C. only on the bald allegations made by the alleged victim which are not backed by any substantive evidence; during the investigation the petitioner had fully cooperated with the investigating agency and that at this stage, there is no necessity of the petitioner's incarceration or custodial interrogation.

*In support of the afore submissions, learned counsel for the petitioner relied upon the judgment of the Supreme Court in **Vikas vs. State of Rajasthan, 2013(4) R.C.R.(Criminal) 948.***

Notice of motion.

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

Adjourned to 23.11.2022.

Subject to the petitioner's appearing before the Trial Court within 10 days from today he shall be admitted at ad-interim bail to the Trial Court's satisfaction.”

Counsel for the petitioner has placed on record certified copy of order dated 04.08.2022 and has submitted that the petitioner has appeared before the Trial Court and has been admitted on ad-interim bail.

In view of the above, inerim order dated 29.07.2022 passed by this Court is made absolute.

Petition is disposed of.

01.12.2022
Kamal

(SUVIR SEHGAL)
JUDGE

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