

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

201

CRM-M-35478-2022

Date of Decision:03.11.2022

TAKI

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: L/ASI Jaswinder Kaur.

SUVIR SEHGAL, J.(ORAL)

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.176 dated 22.07.2022, Annexure P-1, registered under Sections 323, 324, 326, 354 and 34 of IPC, 1860, at Police Station Sadhaura, District Yamuna Nagar.

On 10.08.2022, this Court passed the following order:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of matrimonial discord between the petitioner's son and the complainant; the petitioner has no other criminal case pending against him; the allegations that the petitioner had a evil eye on the complainant are absolutely vague and unsubstantiated; the allegations of giving of beatings by the petitioner and the petitioner's son to the complainant are also vague as no specific injury has been attributed to the petitioner/his son; no time or place also has been specified as to when the alleged injuries were given by the petitioner to the complainant; in the later part of the FIR the complainant's husband is the only person who is attributed beatings and therefore the grievous injury etc. cannot be

attributed to the petitioner and that the petitioner is also ready and willing to join and cooperate with the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Sumit Jain, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 03.11.2022.

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.176, dated 22.07.2022, registered under Sections 323, 324, 326, 354, 34 IPC at Police Station Sadhaura, District Yamuna Nagar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

L/ASI Jaswinder Kaur, Investigating Officer of the case, who is present in person, submits that the petitioner has joined the investigation in deference to the above reproduced order and he is no longer required for custodial interrogation.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 10.08.2022 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.

03.11.2022
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(SUVIR SEHGAL)
JUDGE

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