

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

CRM-M-34041-2020

Date of decision : 14.01.2022

Mohammad Aslam

..... Petitioner

versus

State of UT Chandigarh

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ankur Mittal, Advocate with
Mr. Lalit Singla, Advocate
for the petitioner.

Mr. Rajeev Anand, APP, UT Chandigarh.

Ms. Sumanjit Kaur, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.268 dated 30.08.2020, under Sections 376(2) of Indian Penal Code, 1860 (offence under Sections 323, 506, 509 IPC added later on), registered at Police Station Sector-39, Chandigarh.

Vide order dated 27.10.2020 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that pursuant to the order dated 27.10.2020, the petitioner has already joined the investigation. He further submits that investigation is not only complete but the charges are also framed in this case after presentation of challan.

On the other hand, learned State counsel has affirmed the contentions raised by learned counsel for the petitioner that the investigation is complete and the charges are framed. However, certain reports are awaited for which they would file the supplementary challan.

Learned counsel for the complainant opposes the submissions made by learned counsel for the petitioner. She submits that the petitioner is misusing the concession of interim bail.

In the overall facts and circumstances of the case, interim order dated 27.10.2020 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

14.01.2022
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No