

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

CRM-M-39874-2021

Date of Decision: 04.03.2022

NEERAJ

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Sushil Sheoran, Advocate,
for the petitioner.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

On 24.09.2021, the following order was passed:-

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.207, dated 10.09.2021, registered under Section 305 of IPC, at Police Station Industrial Area Bhiwani, District Bhiwani.

Counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the said FIR as there is no instigation on his part for inciting the deceased to commit suicide. In fact there is enough evidence available with him on the whatsapp chat which would reflect that it is the daughter of the complainant who herself wanted to leave her home.

Notice of motion.

At this stage, Ms. Deepshikha Chauhan, AAG, Haryana, has put in appearance and accepts notice on behalf of respondent-State. She opposes the grant of anticipatory bail to the petitioner by contending that he has been nominated as an accused under the FIR wherein Section 305 of IPC has been invoked. She, on instructions from DSP Varinder Singh, would submit

that that the deceased was only 15 years of age and the neighbours have stated that they have seen the petitioner coming in and out of the house.

Adjourned to 04.03.2022.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds 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.”

Learned counsel for the petitioner contends that the mobile phone of the petitioner has already been handed over to the Investigating Agency and in pursuance of interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions from DSP Virender Singh, has not disputed the aforesaid factual aspect(s) and stated that the custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 24.09.2021, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

04.03.2022
smriti

(VIVEK PURI)
JUDGE

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