

CRM-M-45263-2021

Date of decision: 07.04.2022

SATYAWAN

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ramender Chauhan, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No. 506 dated 16.09.2021, registered under Sections 323/354/498-A/406/506/34 IPC, 1860 at Police Station City, Bhiwani.

On 29.10.2021, the following order was passed:-

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner by contending false implication. It is further contended that the allegations as set out regarding the petitioner herein of misbehaving with the complainant is without any specific date, time or place and he has been roped in only to harass. It is submitted that the petitioner, who is the brother-in-law of the complainant, is ready to join the investigation and cooperate.

Notice of motion for 07.04.2022

At this stage, Ms. Mahima Yashpal, DAG Haryana, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest 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 as provided under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner contends that the petitioner is the brother-in-law of the complainant, he has joined the investigation in pursuance of interim directions issued by this Court, the investigation of the case is complete and challan has been presented in the Court.

On instructions from ASI Narender, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 29.10.2021, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition is allowed.

07.04.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No