

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

(Sr. No. 204)

CRM-M No.45911 of 2021

Date of decision : 05.04.2022

Rakesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Vikas Mehra, Advocate for
Mr. M. K. Garg, Advocate for the petitioner.

Mr. Sumit Jain, Addl. A. G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.71 dated 14.09.2021 registered under Section 354-D, 506, 509, 34 IPC and Section 66-D of the Information Technology Act, 2000 (for short – the Act) (later on Section 66-D of the Act was deleted and Section 67-A of the Act was added), at Women Police Station Assandh, District Karnal.

On 02.11.2021, this Court had passed the following order : -

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.71 dated 14.09.2021 under Section 354-D, 506, 509, 34 IPC and Section 66-D of Information Technology Act, 2000 (Section 66-D of Information Technology (Amendment)

Act, 2000 deleted later on and Section 67-A of the Information Tehnology (Amendment) Act, 2000 added later on registered at Women Police Station Assandh, District Karnal.

Counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the said matter. It would be evident from the fact that in Kalandra registered under Section 107, 151, 150 Cr.P.C. against the father of the complainant, it has been noticed that the complainant had been recovered after she had run away from her matrimonial home (husband being Ramesh Kumar). On recovery, she had submitted that she did not want to reside with the husband but wanted to reside with the petitioner herein.

Notice of motion for 05.04.2022.

Ms. Mahima Yashpal, DAG, Haryana who is present 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, 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 State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the

State, the interim order of this Court dated 02.11.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

05.04.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No