

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

206

CRM-M-48161-2021

Date of Decision: 28.02.2022

WAHEED AHMED

...PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

While granting interim protection to the petitioner, this Court passed the following order on 10.01.2022:-

“Heard through video conferencing.

Instant petition has been filed under Section 438 of Code of Criminal Procedure, 1973, seeking grant of anticipatory bail in case FIR No.169 dated 02.10.2019, registered for offences under Sections 354, 452, 376, 506 of Indian Penal Code, 1860, at Police Station Women Nuh.

Counsel for the petitioner urges that though the petitioner is alleged to have outraged the modesty of the prosecutrix, but during investigation, it was found that he is innocent, however, he has been summoned as an additional accused on an application filed under Section 319 Cr.P.C. (inadvertently mentioned as 139 in order dated 10.01.2022). He submits that there is a delay of 8 days in the lodging of the FIR and the allegations regarding rape have been levelled against co-accused, Arshad, who was arrested. Counsel submits that the petitioner is ready to join the proceedings before the trial Court.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, who is present through video conferencing, accepts notice on behalf of respondent-State.

Let the petitioner surrender before the trial Court and join the proceedings within two weeks from today. In case, he does so, and files a petition seeking

*regular bail, the trial Court shall release him on interim bail on his furnishing bail/surety bonds to its satisfaction and impose such other conditions as it deems appropriate.
List on 28.02.2022.”*

Counsel for the petitioner submits that the petitioner has surrendered and joined the proceedings and has been released on bail on furnishing of bail bonds and surety. This fact has been verified by the State counsel, upon instructions from SI Shobha Rani.

In view of the said facts, the present petition is allowed and the order dated 10.01.2022 granting interim bail to the petitioner is made absolute.

28.02.2022
sheetal

(SUVIR SEHGAL)
JUDGE

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