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

CRM-M-49462-2022

Date of decision : 07.12.2022

Danish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Naresh K. Chhokar, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.391 dated 24.09.2022 registered under Sections 5(1)(a), 5(1)(d) and 6(1)(b) of Immoral Traffic Act, 1956 at Police Station NIT Faridabad, District Faridabad.

On 27.10.2022, this Court had passed the following order:-

“Inter alia, contends that in the present case, even as per the prosecution case, at the time of raid, raiding party had apprehended one Jitender @ Jitu and four girls from the place of incident, whereas, the present petitioner had not been apprehended at the spot. It is further contended that the guest house from where the said persons had been apprehended does not belong to the present petitioner and the present petitioner is not involved in any other criminal

case. It is stated that none of the girls have given the statement that they were forced to indulge in the alleged activity.

Notice of motion for 22.11.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.”

Thereafter, on 22.11.2022, the following order was passed:-

“Learned State counsel has filed the status report by way of affidavit of Vishnu Parshad, HPS, Assistant Commissioner of Police, NIT Faridabad, on behalf of the respondent-State and the same is taken on record.

Learned State counsel, on instructions from the investigating officer, has submitted that although, the petitioner has joined the investigation, but he is required for further investigation.

Adjourned to 07.12.2022.

The petitioner is again directed to join the investigation on 01.12.2022 at 11:00 AM.

Interim order to continue.

A photocopy of this order be placed on the file of connected case.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders, the petitioner has joined the investigation.

Learned counsel for the State has submitted that the petitioner has joined the investigation and is not required for any further custodial

interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 27.10.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 27.10.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

07.12.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No