

2023:PHHC: 103446

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8234-2023
Date of decision: 09.08.2023

SANJEEV SHARMA

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. A.P. Dhankhar, Advocate for
Mr. Bijender Dhankhar, Advocate
for the petitioner.

Mr. Ram Kumar Singla, DAG, Haryana.

Mr. Balraj Gujjar, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No. 1061 dated 29.12.2022, under Sections 323, 376(2)(n), 376(c) and 506 IPC registered at Police Station City Yamuna Nagar, District Yamuna Nagar (Annexure P-1).
2. On 16.02.2023, the following order was passed by the Coordinate Bench of this Court:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.1061 dated 29.12.2022 under Sections 323, 376(2)(n), 376 (c) and 506 of IPC, registered at Police Station City, Yamuna Nagar, District Yamuna Nagar.

Learned counsel for the petitioner submits that the entire story is concocted and self-contradictory. The complainant is an employee with the petitioner since 2014 and has levelled baseless allegations against the petitioner only due to some monetary benefits, which she wanted, such as advance pay etc. The petitioner is running a laboratory. He further submits that the prosecutrix is in a habit of lodging false cases, as she had earlier also got entangled with one Jagir Chand,

after her husband was expired and then took a sum of ₹ 5,00,000/- from said Jagir Chand, who had filed a suit for declaration which was later on compromised.

Notice of motion.

On the asking of the Court, Mr. Brijesh Sharma, AAG, Haryana, accepts notice on behalf of the respondent-State. Without commenting upon the merits of the case, the petitioner is directed to join investigation on 27.02.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 26.04.2023.

However, this interim order shall not construe any right to the petitioner and the matter will be decided on merits at an appropriate stage.”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

4. On instructions, learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. In view of the aforesaid submissions, the order dated 16.02.2023, granting interim bail to the petitioner is made absolute.

6. The petition is allowed.

09.08.2023

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(VIVEK PURI)
JUDGE

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