

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10009-2022 (O&M)
Date of Decision:02.03.2023.

Sumit Diwan ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. R.S. Cheema, Senior Advocate withdraw
Mr. R.K. Tirkha, Advocate,
Mr. Satish Sharma, Advocate,
Mr. Mahi Pal Singh Bist, Advocate
for the petitioner(s).

Mr. Manish Bansal, DAG, Haryana.

Mr. Satya Pal Jain, Senior Advocate with
Mr. Davinder Lubana, Advocate for the complainant.

ANOOP CHITKARA, J. (Oral)

FIR No.	Dated	Police Station	Sections
8	04.01.2021	Naraingarh, District Ambala	406, 409, 420, 467, 468, 471 120-B

1. The petitioner apprehending arrest in the FIR captioned above, on the allegations of complainant had come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. Vide order dated 09.03.2022, the petitioner was granted interim protection, which is continuing till date.
3. The petitioner's counsel argued that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family. He further submits that compliance of order dated 11.01.2023 has already been made.
4. The State's counsel opposes the bail.

REASONING:

5. Thus, there would be no justification to keep this bail pending waiting for the proper investigation. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the victim or victim's family or the witnesses or that he had hampered the investigation, or despite being called to join the investigation, he did not appear before the investigator. Given the above, there would be no justification to discontinue the interim protection, and the same is made absolute.

Petition allowed in aforesaid terms. Interim order is made absolute subject to strict compliance of all terms and conditions if already not complied. All pending applications, if any, stand disposed.

Trial be expedited. Registry to communicate this order to the Court concerned.

(ANOOP CHITKARA)
JUDGE

02.03.2023
pry

Whether speaking/reasoned:	Yes
Whether reportable:	No