

CRM-M-25362-2022

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2023:PHHC:094845

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
204

CRM-M-25362-2022

Date of Decision: 26.07.2023

Karan Gambhir

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Nikhil Ghai, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Ms. Tejaswini, Advocate for respondent No. 2-complainant.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 21 dated 30.03.2022 (Annexure P-1) registered under Sections 328, 354, 376, 506 and 120-B IPC at Women Police Station, Panchkula, District Panchkula.

On 06.12.2022, this Court had passed the following order:-

“Learned Senior Counsel appearing for the petitioner submits that the petitioner was engaged to be married to the prosecutrix. He has invited the attention of the Court to interim order dated 02.06.2022 as well as Para 07 of the status report filed by the State to submit that the photographs appended with the petition were taken with the consent of the prosecutrix. He submits that physical relationship between the parties was consensual.

List on 10.07.2023.

Petitioner is directed to appear before the Investigating Officer on 12.12.2022 at 11.00 A.M. at Women Police Station, Panchkula and join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the

satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from ASI Sunita states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 06.12.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

26.07.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No