

2023:PHHC:098951

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

CRM-M-30367-2023

Date of Decision: 02.08.2023

AKASH KUMAR

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Shivam Chaudhary, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking anticipatory bail in the case bearing FIR No.17 dated 29.12.2022 under Sections 120-B, 354-D, 409, 419, 420 and 506 IPC registered at Police Station Cyber Crime, Palwal.

2. On 14.06.2023, the following order was passed by the Coordinate Bench of this Court:-

“Contends *inter alia*, that petitioner is having no concern with the commission of alleged offence; rather falsely implicated by the complainant, just to malign his reputation.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana, accepts notice on behalf of the respondent-State and seeks time to have instructions in the matter regarding the marriage of petitioner with daughter of the complainant.

Posted on 02.08.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner contends that the victim is aged about 23 years, she has voluntarily solemnized the marriage with the petitioner and is happily residing in the matrimonial house. The complainant is the father-in-law of the petitioner and the FIR has been lodged as the marriage was solemnized against his wishes. The petitioner has joined the investigation in pursuance of interim directions issued by this Court.
4. Learned State counsel, on instructions from PSI Sandeep, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.
5. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 14.06.2023, vide which the petitioner has been granted interim bail, is made absolute.
6. Petition is allowed.

02.08.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No