

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

205

Criminal Misc. No. M-31052 of 2023

Date of decision :-25.09.2023

Jagdish Chander

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Gaurav Vir Singh Behl, Advocate
for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

Mr. Akshit Aggarwal, Advocate
For the complainant.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.102 dated 30.03.2023, under Sections 376(2)(f), 376(2)(n), 34 IPC (Sections 376(d) and 114 IPC added subsequently), registered at Police Station Chappar, District Yamuna Nagar.

On 05.07.2023, this Court had passed the following order

:-

“Mr. Anil Aggarwal, Advocate has put in appearance on behalf of complainant and filed his Power of Attorney, which is taken on record.

Learned State counsel seeks some more time to file the status report.

Adjourned to 25.9.2023.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join

investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer ;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any. ”

Learned State counsel, has filed the reply by way of affidavit of Rajesh Kumar, HPS, Deputy Superintendent of Police-II, Yamuna Nagar on behalf of respondent-State, the same is taken on record. Learned State counsel on instructions from the Investigating Officer 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 05.7.2023 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.

September 25, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No