

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

**CRM-M No.31885 of 2023 (O&M)
DATE OF DECISION : 05.09.2023**

Shubham Arora

.....Petitioner

versus

State of Haryana and Another

.....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mohan Singh Chauhan, Advocate for the petitioner

Ms. Mahima Yashpal, DAG Haryana

ALKA SARIN, J. (Oral):

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 (CrPC) for grant of anticipatory bail to the petitioner in FIR No.32 dated 14.03.2023 under Sections 323, 354, 498A, 406, 34 IPC and Section 354-A IPC (added later on) registered at Police Station Women Police Station, Rewari, District Rewari.

2. On 06.07.2023 the following order was passed :

*“This is a petition under Section 438 of the Code
of Criminal Procedure, 1973 (CrPC) for grant of
anticipatory bail to the petitioner in FIR No.32 dated*

14.03.2023 under Sections 323, 354, 498A, 406, 34 IPC and Section 354-A IPC (added later on) registered at Police Station Women Police Station, Rewari, District Rewari.

Learned counsel for the petitioner would contend that the petitioner is the Dever of the complainant and the only allegation in the FIR is that he used to keep an evil eye on her. However, in the statement under Section 164 CrPC, the version has been improved to say that the petitioner had tried to molest the complainant in the month of February 2022. Learned counsel for the petitioner would further contend that the FIR itself has been lodged on 14.03.2023 and that all the family members have been accused in the FIR. It is further the contention that the petitioner has been working and residing in Bengaluru since 2016.

List on 05.09.2023.

Meanwhile, the petitioner is directed to join investigation on 13.07.2023 at 10.00 A.M. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner would contend that the petitioner has joined the investigation and fully co-operated. Learned counsel for the State, on instructions from SI-Rachna, has stated that petitioner has since joined the investigation and that he is no longer required for further custodial interrogation as of now.

4. In view of the above, the order dated 06.07.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973. Disposed off accordingly. Pending applications, if any, also stand disposed off.

05.09.2023
parkash

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
