

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**210-1****CRM-M No.48884 of 2022****Date of Decision : 24.07.2023**

Deepak and Others

....Petitioners

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mukesh Yadav, Advocate for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG Haryana.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No. 55 dated 29.09.2022 under Sections 328, 363, 366, 376(2)(n), 506 and 120-B of the Indian Penal Code, and Section 25 of the Arms Act, 1959 registered at Women Police Station Narnaul, District Mohindergarh.

2. On 04.11.2022 the following order was passed :

“Lawyers are abstaining from work.

Status report by way of an affidavit of Additional Superintendent of Police, Mahendergarh, District Mahendergarh has been filed by the State in the Registry in compliance of order dated 20.10.2022 passed by this Court. Status report is taken on record and its copy be supplied to the counsel for the petitioners.

Perusal of the allegations levelled in the FIR,

which have been supported by the prosecutrix in her statement recorded under Section 164, Cr.P.C., Annexure R-1, shows that there is no allegation of sexual assault against any of the three petitioners. Petitioners are alleged to have aided main accused, Naveen Singh. Reliance has been placed in the petition on Marriage Certificate, Annexure P-1, photographs, Annexure P-3 as well as affidavit, Annexure P-4, of the prosecutrix and a stand has been taken that Naveen Singh has solemnized marriage with the prosecutrix.

This aspect has been verified and confirmed by the State in para 6 of the status report.

List on 16.02.2023.

Petitioners are directed to join the investigation on 10.11.2022 at 11:00 A.M. at Police Station Narnaul, District Mahendergarh and would appear as and when called. In the event of arrest, they shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioners states that the petitioners have since joined the investigation and fully cooperated.

4. Learned counsel for the State, on instructions from Inspector Sharda, has stated that the petitioners have since joined investigation and fully cooperated and that they are no longer required for further custodial

interrogation as of now.

5. In view of the above, the order dated 04.11.2022 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

24.07.2023

jk

(ALKA SARIN)
JUDGE

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