

CRM-M-58747-2022 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(202)

CRM-M-58747-2022 (O&M).
Date of Decision:-12.04.2023.

Shashank

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. S.S. Pannu, DAG, Haryana.

ALOK JAIN, J. (Oral)

The present petition is for grant of anticipatory bail to the petitioner in case FIR No.165 dated 20.10.2022, registered at Police Station DLF Phase II, Gurugram, for offence punishable under Section 376 of IPC.

Learned counsel for the petitioner has submitted that in compliance of the order dated 16.12.2022, the petitioner has joined the investigation.

Learned State counsel has filed the reply by way of affidavit of Sh. Vikas Kaushik, HPS, Assistant Commissioner of Police, DLF, Gurugram on behalf of the State of Haryana.

At this stage Mr. Punit Malik, Advocate, has put in appearance on behalf of the complainant and filed his *vakalatnama*, which is taken on record. He has vehemently opposed the grant of anticipatory bail to the

CRM-M-58747-2022 (O&M)

petitioner on the ground that the petitioner had promised to marry the prosecutrix for which a Panchayat was also convened, wherein, he had agreed to the said fact. However, thereafter, the petitioner has resiled from his promises, which has led to the present litigation.

The issue whether the parties want to have a matrimonial accord or not is left open. However, the order dated **16.12.2022** granting interim anticipatory bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Accordingly, petition stands allowed.

Pending miscellaneous application also stands disposed of.

(ALOK JAIN)
JUDGE

April 12, 2023.

Sandeep

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