



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

**CRM-M-3620-2023 (O&M)
DATE OF DECISION : 09.05.2024**

RAM MEHAR

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: None for the petitioner.

Mr. Amrik Singh Narwal, D.A.G., Haryana.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 28 dated 12.01.2023 registered at Police Station Jind City, District Jind, under Section 376(2)(n), 506 IPC.

2. On 30.01.2023 following order was passed:

“Vide order dated 23.01.2023, the learned State counsel was directed to place on record the MLR and the statement got recorded under Section 164 of Cr.P.C.

Learned counsel for the State has submitted that as per the MLR, no external injury has been found.

Counsel for the petitioner submits that the entire FIR is in fact an outcome of a demand of money made by the petitioner from the prosecutrix, for whom he purchased a mobile phone and she was to pay the installments. He further submits that even till date, the installments of the said phone are being paid by the petitioner only and the complainant has not given a single penny. It was on account of the said fact that led to filing of the present FIR.

Without going into the merits of the case, the petitioner



shall join investigation on 02.02.2023 at 10:00A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 20.04.2023.”

3. Learned State counsel, on instructions from P/SI Manoj Kumar, has confirmed that the petitioner has joined investigation. State counsel further informs that custodial interrogation of the petitioner is not required since investigation is complete and challan has been presented.

4. In view of the aforesaid facts and the reasons recorded in the order dated 30.01.2023 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 30.01.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

5. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

09.05.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No