



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-12307-2024 (O&M)
Date of Decision:- 30.07.2024

Pawan Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nishant Chauhan, Advocate, for the petitioner
(appeared through video conferencing).

Mr. Neeraj Sheoran, DAG, Haryana,
assisted by ASI Surjeet Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
398	29.11.2023	Bahalgarh, District Sonipat	148, 149, 323, 427, 452, 506 IPC (Section 325 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
- At the time of issuance of interim bail the following order was passed on 11.03.2024 by a Co-ordinate Bench:



“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.398 dated 29.11.2023 registered under Sections 148, 149, 323, 427, 452, 506 IPC (325 IPC added later on) at Police Station Bahalgarh, District Sonipat.

Counsel for the petitioner submits that no such incident as alleged by the complainant-Rakesh who is husband of Pinki Rani, in the FIR took place. It is further submitted that actually aforesaid Pinki was into livein relationship with the petitioner and in this regard, they also executed MOU (Annexure P-2) but thereafter, their relations were stained. On this, Pinki Rani and her husband tried to falsely implicate the petitioner firstly in a case under Section 376 (2)(n) IPC wherein the petitioner is already granted interim relief by this Court vide order dated 14.2.2024 (Annexure P-3). Now husband of the petitioner has got registered the present FIR on the basis of false allegations and that the petitioner is ready to join the investigation with the police.

Notice of motion.

Mr. Neeraj Sheoran, DAG, Haryana accepts notice on behalf of the State and submits that the petitioner is also involved in one another case under Section 376 (2)(n) IPC which was got registered by Pinki wife of the present complainant. He further submits that the petitioner is required by the police for proper investigation. However, State counsel has not disputed the fact that except for offence under Section 452 IPC, all the offences areailable offence.

Now be listed on 29.5.2024.

In view of above, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C.”



3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position wherein the petitioner has joined investigation and she is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 11.03.2024 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

30.07.2024
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No