



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-21574-2024 (O&M)
Date of Decision: 13.11.2024

AMIT KUMAR

...Petitioner

Versus

STATE OF HARYANA

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail to the petitioner in case FIR No.66 dated 22.03.2024, under Sections 376(2)(n), 450, 506 IPC, 1860, registered at Police Station Bhuna, District Fatehabad.
2. On 20.08.2024, this Court passed the following order and directed the petitioner to join the investigation:

'Learned counsel for the petitioner inter alia contends that as per the FIR, the first alleged occurrence took place in September 2023 and thereafter, another alleged occurrence is dated 06.10.2023, however, the FIR was lodged with a long delay on 22.03.2024 and there is no explanation of the delay.

It is further contended that the prosecutrix is married and having three children and the petitioner and the prosecutrix were having consensual relationship which is evident from the financial transactions as per which the petitioner had been sending money to the prosecutrix, vide receipts (Annexure P-2 colly).



Counsel for the petitioner further contends that as per Annexures A-1 to A-6, indicate that the petitioner is not named in the other FIRs and he is already released on bail in the said cases.

Notice of motion.

On advance notice, Mr. Amrik Singh Narwal, D.A.G. Haryana, appears on behalf of the respondent-State and seeks time to file status report.

Adjourned to 13.11.2024.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.'

3. Learned State counsel on instructions from ASI Kanta Devi has informed that the petitioner has joined the investigation and his custodial interrogation is not required. He has further informed that intimation of this order has been given to the complainant by the Investigating Officer.

4. There is no representation on behalf of the complainant.

5. I have heard the aforesaid submissions and perused the relevant documents.

6. In view of the aforesaid facts and the reasons recorded in the order dated 20.08.2024 and keeping in view the fact that the petitioner has joined the investigation; his custodial interrogation is not required and the allegations and counter-allegations between the petitioner and the complainant are matter of trial, the present petition is allowed and the order dated 20.08.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. It is made clear that nothing expressed hereinabove would be



construed to be an expression of opinion on merits of the case.

8. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

13.11.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No