

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

CRM-M-22123-2024 (O&M)
Date of Decision:-1.8.2024

Ajay ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Nehha Dewan Advocate with
Mr. Mayur Karkra, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana,
assisted by SI Sukhdev Singh.

FIR No.	Dated	Police Station	Section/s
694	26.11.2023	Mahesh Nagar	365 of Indian Penal Code, wherein offence under Section 120-B IPC was 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 notice of motion, the following order was passed on 3.5.2024:

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in case registered against him vide FIR No.694 dated 26.11.2023 under Sections 365 IPC (Section 120-B IPC added later on) at Police Station Mahesh Nagar, District Ambala.

The learned counsel for the petitioner *inter alia* contends that the petitioner has got married to Palak, the then minor daughter of the complainant who has now turned major.

Notice of motion for 01.08.2024.

Mr. Ravish Kaushik, Addl.A.G., Haryana, present in the Court, accepts notice on behalf of the State.



In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (i) that the petitioner shall make himself available for interrogation before the investigating 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 as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State is directed to file an affidavit/reply as to the exact role of the petitioner and his co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

- 3. Learned State counsel, upon instructions from SI Sukhdev Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation.
- 4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the instant petition is accepted and the interim directions issued by this Court vide order dated 3.5.2024 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.

1.8.2024
pankaj

(Gurvinder Singh Gill)
Judge

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