



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

271

CRM-M-28986-2024
Date of decision: 22.07.2024

JAI DHUPAR
Versus
STATE OF HARYANA AND ANR
...Petitioner
...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Rishab Garg, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

None for respondent No.2.

HARPREET SINGH BRAR. J.(Oral)

1. Through the instant petition, petitioner is seeking anticipatory bail in case FIR No. 45 dated 18.05.2024 registered under Sections 376(2) (n), and 506 of IPC at Police Station Women, Sector 51, Gurugram, District Gurugram.
2. On 31.05.2024, following order was passed:
“Apprehending his arrest in FIR No.45 dated 18.05.2024 registered for offences punishable under Sections 376(2)(n) and 506 of IPC at Police Station Women, Sector-51, Gurugram, District Gurugram; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking prearrest bail.

Inter alia contends that there was earlier consensual relationship between the petitioner and the complainant which turned sour later on due to supervening circumstances; petitioner is aged about 46 years and the complainant is an educated lady aged about 38 years & petitioner is willing to join investigation and cooperate therein.

Notice of motion.



On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana, appears and accepts notice on behalf of respondent No.1State. Mr. Sahil Goel, Advocate has appeared and filed vakalatnama on behalf of respondent No.2. The same is taken on record.

Adjourned to 16.07.2024.

The petitioner is directed to appear before the Investigating Officer on 05.06.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C. “

3. Learned State counsel on instructions from ASI Manju, submits that in compliance of order dated 31.05.2024 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel the order dated 31.05.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C.
5. The petition is accordingly allowed.

22.07.2024
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(HARPREET SINGH BRAR)
JUDGE

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