

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-31480-2023
Date of decision: 8th January, 2024

Dilawar Hussain

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Saleem Ahmed Advocate for the petitioner(s).
Mr. Arjun Lakhanpal, Addl., A.G., Haryana
for the respondent-State.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.453 dated 20.08.2015 registered under Sections 363 and 366-A of IPC, 1860 at Police Station Saran, Faridabad. (Sections 323, 328, 342, 506, 34 of IPC added later on).

2. Vide order dated 04.08.2023, passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned counsel for the petitioner has placed on record copy of judgment dated 31.10.2023 passed by the Learned Juvenile Justice Board, Faridabad which shows that son of the petitioner has been acquitted of the charges as framed against him in the same FIR, which is the subject matter of the present case.

4. A perusal of this judgment also reveals that the victim as well as her father had not supported the version of the prosecution before the Juvenile Justice Board and are also not shown to have implicated the present petitioner also. The present petition had already joined the investigation. His

custodial interrogation is not required.

5. In my considered opinion, keeping in view the facts and circumstances of the case, no purpose would be served by detaining him in custody. Hence the petition is allowed and order dated 04.08.2023 is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

[MANISHA BATRA]
JUDGE

8th January, 2024
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No