

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-36634-2024
Date of decision: 15.10.2024

RINKU ...PETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Narender Kaajla, Advocate for the petitioner.
Ms. Gaganpreet Kaur, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of Cr.P.C.,
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
279	24.05.2023	379-A, 34 of IPC	City, Fatehabad.

2. Learned counsel for the petitioner submits that in compliance to the order dated 13.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 13.08.2024.
3. Learned State counsel, on instructions received from ASI Krishan, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.
4. During the course of hearing on 13.08.2024, following order was passed:

“The Counsel for the petitioner contends that the



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purported occurrence took place on 22.05.2023. The co-accused of the petitioner, namely, Sunil Kumar @ Mani was arrested on 23.06.2024 on the basis of the secret information and the phone belonging to the daughter of the complainant came to be recovered from him at that point of time. It was in the disclosure statement of the Sunil Kumar @ Mani the name of the petitioner figured. He therefore contends that there was no admissible evidence against the petitioner.

Adjourned to 24.09.2024.

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 so 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.”*

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 13.08.2024 passed by this Court, interim bail granted vide order dated 13.08.2024 is hereby confirmed, subject to



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conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

15.10.2024
kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No