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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-45199-2023

Date of decision: 25.07.2024

Gopal Yadav

....Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR****Present:** Mr. Sachin Bhardwaj, Advocate  
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

**HARPREET SINGH BRAR, J. (ORAL)**

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.142 dated 10.07.2023 under Sections 323/376(2)(N)/377/506/34 of IPC registered at Police Station Sector 6 Dharuhera, District Rewari (Annexure P-1).

On 05.10.2023, the following order was passed:-

*'...This is a petition under Section 438 of the Code of Criminal Procedure, 1973, for grant of anticipatory bail to the petitioner in FIR No.142 dated 10.07.2023 under Sections 323, 376(2)(N), 377, 506, 34 of the Indian Penal Code, 1860 registered at Police Station Sector-6, Dharuhera, District Rewari.*

*Learned counsel for the petitioner would contend that the petitioner has been implicated in a totally false case. It is further the contention that even as per the case set up by the complainant the petitioner and the complainant were known to each other even prior to 16.02.2017. The learned counsel would further contend that the complainant was earlier married and was only separated from her husband and had not got a divorce from her previous husband. The learned counsel has further pointed out that the complainant had also filed a complaint against one Gajanand on 21.06.2023 (Annexure P-4) in which she had shown herself as the wife of the present petitioner.*

*Notice of motion.*

*Ms. Mahima Yashpal, DAG Haryana accepts notice on behalf of respondent No.1-State of Haryana. Learned counsel for the State, on instructions from SI-Archana, has stated that the complainant had also filed a complaint against one Gajanand wherein she was shown as wife of the petitioner. The matter was subsequently compromised and an affidavit to that effect was given to the police.*

*List on 08.01.2024.*

*Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.'*

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Learned State counsel on instructions from ASI Sanjay Kumar, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 05.10.2023 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**25.07.2024***Neha*

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |