

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

212

Criminal Misc. No. M-65522 of 2023

Date of decision :-15.02.2024

Raj Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Ms. Prarthana Duggal, Advocate for
Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.398 dated 19.9.2023, under Sections 498-A, 323, 406, 377 and 506 IPC, registered at Police Station Gandhi Nagar, District Yamuna Nagar.

On 01.1.2024, co-ordinate Bench of this Court had passed the following order :-

“The petitioner prays for pre-arrest bail in a criminal case arising from an FIR No.398, dated 19.09.2023, registered under Sections 498A, 323, 406, 377 & 506 IPC at Police Station Gandhi Nagar, District Yamuna Nagar.

The learned counsel representing the petitioner inter alia contends that on account of marital discord between the petitioner and the first informant, a false case

has been registered and in order to aggravate the Charges, allegations have been made for an offence committed under Section 377 IPC and due to shock, the petitioner's father has died. He further submits that an effort has been made to implicate all the family members including two sister-in-laws.

Notice of motion.

Mr. Yuvraj Shandilya, Assistant Advocate General, Haryana, accepts notice on behalf of the State.

Adjourned to 15.02.2024.

Meanwhile, in the event of arrest, the petitioner shall be released on the interim bail subject to furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of bail as provided under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Sushma states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 01.1.2024 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the

investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

February 15, 2024
Vijay Asija

(NIDHI GUPTA)
JUDGE

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