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

**CRM-M-19904 of 2015
Date of decision : 14.07.2015**

Gurdip Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Jagram Singh Cooner, Advocate
for the petitioner.

Mr. R.S.Doon, AAG, Haryana.

DARSHAN SINGH,J(Oral)

1. The present petition has been filed by petitioner Gurdip Singh, under Section 438 Cr.P.C for grant of the anticipatory bail in case FIR No. 129 dated 01.10.2014, under Sections 406, 420, 34 subsequently added Sections 272, 407, 120-B of Indian Penal Code, registered at Police Station I.A. Saha Ambala, District Ambala.

2. On the last date of hearing, the following order was passed:-

“Learned counsel for the petitioner, inter alia,

contends that the petitioner had only rented out his tanker to one Rachhpal Singh of Tohana, who further used the tanker for loading the milk from Reliance Dairy Food Limited and delivered to Samriti Products Private Limited.

Notice of motion for 14.7.2015.

In the meantime, arrest of the petitioner shall remain stayed subject to the compliance of Section 438(2) of the Cr.P.C. ”

3. Learned counsel for the petitioner states that the petitioner had no concern with the actual operation of the truck in question at the relevant time as he has already leased out the truck in question to Rachpal Singh vide agreement dated 05.08.2014.

4. Learned State counsel on the instructions of SI Jagat Singh, Police Station Saha has stated that the rent agreement has been found to be attested by the concerned Notary Public, but the same has not been found to be entered in his register. Meaning thereby, the existence of said agreement has not been disputed. Learned State counsel has also stated that the petitioner has already joined the investigation and is not required for any custodial interrogation. Thus, in these circumstances, the detention of the petitioner is not required.

5. Consequently, the present petition is hereby allowed and the order of interim anticipatory bail dated

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16.06.2015 is hereby made absolute subject to the conditions that he will join the investigation as and when required by the Investigating Officer; that he will not directly or indirectly tamper with the prosecution evidence; that he will not leave India without the prior permission of the trial Court.

14.07.2015

s.khan

**(DARSHAN SINGH)
JUDGE**