

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37177 of 2015

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Date of decision:14.12.2015

Yogesh

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Rajesh Hooda, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.230 dated 31.5.2015 registered for the offences under Sections 409 and 420 IPC at Police Station Indri, District Karnal.

Notice of motion has been issued in this case.

Mr. Anmol Malik, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

As per the version in the FIR, a secret information was received that water was being sprayed on the wheat stored at P.R. Centre, Indri and

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District Food and Supplies Controller, Karnal, apprehended two Chowkidars, namely, Krishan Bahadur and Siri Parkash, whereas both the Sub-Inspectors, namely, Rinku and Yogesh managed to flee from the spot. The complainant constituted a Committee and the matter was got inspected. As per the report, water was found lying at the spot.

Keeping in view the facts and circumstances of the present case and nature and gravity of the offences and in view of the fact that the petitioner is not required for custodial interrogation, I find merit in the present petition for grant of anticipatory bail.

It has been argued by the learned State counsel that the petitioner had come to the Police Station but has not joined the investigation.

On the other hand, learned counsel for the petitioner argued that as to why the petitioner will not join the investigation when he had gone to the Police Station for joining the same.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 31.10.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

December 14, 2015.

(Inderjit Singh)
Judge

hsp