

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3801-2015

Date of decision: 11.08.2015

Rishi Walia

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Gautam Dutt, Advocate for the petitioner.

Mr. SS Pannu, DAG, Haryana.

Ms. Manjri Nehru Kaul, Advocate for the complainant.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 01 dated 02.01.2015 registered under Sections 420/467/468/471 IPC at Police Station Naraingarh, District Ambala.

When this case was listed on 06.02.2015, following order was passed:-

“Learned counsel, inter alia, contended that the petitioner is a practicing Advocate in the District Courts Ambala and Naraingarh, for the last about five years. He was stated to have obtained a fake certificate of 10 + 2 examination in the year 2002.

The argument is that now the complainant has lodged a false criminal case (after 12-13 years) against the petitioner, as a counter-blast of criminal case registered against the complainant party, vide FIR No. 180 dated 21.06.2013, for the commission of offences punishable under Sections 148, 149, 323, 325, 201 and 506 IPC, for causing grievous hurt to the petitioner and his father Ram Singh, in order to put pressure and wreak vengeance. Moreover, nothing is to be recovered from the petitioner.

Heard.

Issue notice of motion to the respondent.

At this stage, Mr. Ram Kumar Yadav, D.A.G., Haryana, on behalf of the State & Mr. Abhinandan Pandhi, Advocate, on behalf of complainant, appear, accept notices and seek time to argue the matter.

Adjourned to 27.02.2015 for arguments, at the request of State/complainant counsel.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

In deference to the order dated 28.04.2015, learned State counsel has filed the status report by way of affidavit of Sh. Ramesh

Kumar, HPS, Assistant Commissioner of Police, Naraingarh, in Court today and the same be taken on record.

On instructions from ASI Sukhwinder Singh, learned State counsel submits that petitioner has joined the investigation and he is no more required for further interrogation. It is further submitted that investigation has been completed and the challan is likely to be presented shortly.

Let the needful be done within one month from today.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioner vide order dated 06.02.2015 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

August 11, 2015
rishu

(R.P. NAGRATH)
JUDGE