

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-41563-2014
Date of decision:20.05.2015**

Taranjit Singh @ Tannu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.N.S. Kohli, Advocate for the petitioner.

Mr.Ashish Yadav, Addl. A.G., Haryana.

Mr.R.S.Budhwar, Advocate for the complainant.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.173 dated 14.11.2014 registered under Sections 66-A and 67-A of the Information Technology Act, 2000 and Section 506 IPC at Police Station, Barara, District Ambala.

Learned counsel for the petitioner submits that in compliance of the orders passed by this Court, petitioner has joined the investigation many a times and he has also cooperated with the investigating agency, providing every possible information available to him. He further submits that petitioner has got no other relevant information which can be provided to the investigating agency. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Chander Parkash, Police Station, Barara, submits that petitioner is trying to play smart. He has not given the actual mobile set which he was using at the time of commission of crime. Though the petitioner has joined the investigation many a times but he has intentionally not cooperated with the investigating agency, so as to put the investigating agency on a wrong track. Because of this non-cooperation of the petitioner, effective and scientific investigation could not be conducted. In this view of the matter, he submits that custodial interrogation of the petitioner is necessary.

Similarly while supporting the arguments raised by the learned counsel for the State, learned counsel for the complainant also prays for dismissal of the present petition, submitting that petitioner has not cooperated with the investigating agency.

Having heard the learned counsel for the parties at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for pre-arrest bail. It is so said because after having been granted the interim protection, petitioner never cooperated with the investigating agency. He had to be directed by this Court to join the investigation again and again but it seems that petitioner is trying to play smart. Till the petitioner provides the relevant information to the investigating agency, effective investigation would not be possible.

Without commenting anything further, lest it should prejudice the rights of either of the parties, this Court is of the considered opinion that custodial interrogation of the petitioner would be the compulsive necessity of the investigating agency so as to conduct an effective investigation. No case for pre-arrest bail is made out.

Dismissed.

20.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE