

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7622 of 2015 (O&M)
Date of Decision: 08.05.2015.

Ashish

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.P.S. Sidhu, Advocate for the petitioner.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

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

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No. 957 dated 27.9.2014 under sections 148, 149, 323, 341, 307, 109, 506 I.P.C registered at Police Station Chandni Bagh, Panipat.

On 12.3.2015, while issuing notice of motion, the following order was passed by this Court:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No. 957 dated 27.9.2014, under Sections 148, 149, 323, 341,307, 109, 506 IPC, registered at Police Station Chandni Bagh, Panipat.

Counsel would submit that in the present FIR, the petitioner, who has been working as a Constable with the Haryana Police is sought to be implicated under Section 109 IPC on the allegation that he along with his wife, namely, Muneesh, who is an ASI in Haryana Police, had interfered in the process of investigation and had facilitated/taken steps to thrash out the compromise between the complainant and

accused party. It has been argued that pertaining to the same very allegations, FIR No. 1622 dated 18.12.2014 had been registered and in which the petitioner was granted concession of interim anticipatory bail in CRM-M No. 4431 of 2015. Court has further been apprised that wife of the petitioner already stands arrested and is in custody.

Notice of motion, returnable for 08.05.2015.

To be listed along with CRM-M No. 4431 of 2015.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Fateh Singh would apprise the Court that the petitioner has since joined investigation. Even the observations made by this Court in the notice of motion order dated 12.3.2015 have gone un rebutted.

In so far as F.I.R No.1622 dated 18.12.2014 is concerned and which finds a mention in the notice of motion order, the petitioner has been granted the concession of anticipatory bail vide order of even date passed in CRM No. M-4431 of 2015. It also has gone uncontroverted that wife of the petitioner namely Muneesh Kumari has been granted the benefit of regular bail.

Accordingly, the present petition is allowed. Order dated 12.3.2015, passed by this Court, is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

May 08, 2015
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