

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-11724 of 2016 (O&M)

.....

Date of decision:10.8.2016

Manjit

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Ravinder Phogat, Advocate for the petitioner.

Mr. Vikramjit Singh, Additional Advocate General, Haryana for the respondent-State.

Mr. Sanjeev Kumar Bawa, Advocate for the complainant

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.218 dated 21.9.2015 registered for the offences under Sections 406, 506 and 34 IPC and (Section 420 IPC, which was added later on) at Police Station Julana, District Jind.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General, Haryana has put in appearance on behalf of the respondent-State and Mr. Sanjeev Kumar Bawa, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioner as well as learned Additional Advocate General, Haryana appearing for the respondent-State and learned counsel for the complainant and have gone

through the record.

As per the allegations of the prosecution, the complainant sold buffaloes to the brother of the present petitioner and the petitioner has been nominated in this FIR on the basis of disclosure statement of co-accused. The only allegations against the petitioner is that he had extended a threat to the complainant and further brother of the present petitioner, namely, Sandeep has given the money to him for handing over to the complainant. The petitioner has already joined the investigation. As stated he is not required for any custodial interrogation. Main allegations are against Sandeep co-accused, therefore, no useful purpose will be served by sending the petitioner to custody.

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 5.4.2016 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.

August 10, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No