

CRM-M No.15941 of 2016

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No.15941 of 2016
Date of Decision : 01.08.2016**

Surender @ Chindu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl.A.G., Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.67 dated 21.04.2016, registered under Sections 15, 29, 61, 85 of IPC, at Police Station Guhla, District Kaithal.

On 09.05.2016 the following order was passed:-

“Petitioner is alleged to have escaped after leaving a motorcycle with a bag containing 3½ kgs of poppy husk, after having been identified by a police official.

Notice to the Advocate General, Haryana, for

1.8.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on or before 14.5.2016 or on any other date as required by the Investigating Officer. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer. ”

On the asking of the Court, the learned Additional Advocate General has ascertained from the investigating officer S.I. Jagbir Singh that no other case is pending against the petitioner but has stated that the motorcycle which was recovered from the spot belongs to him.

Learned counsel for the petitioner has argued that now the petitioner has been granted the benefit of ad-interim bail and he is cooperating with the prosecution.

Learned Additional Advocate General on instructions from the IO has accepted this fact.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Ordered accordingly.

Resultantly, the interim order dated 09.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

August 01, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No