

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17777-2016

Date of Decision: September 8, 2016

Prem Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Mohan Singh Rana, Advocate,
for Mr. Sanjeev Kr. Panwar, Advocate,
for the petitioner.

Mr. Kuldip Tiwari, Addl. AG, 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. 733 dated 17.11.2015, registered under Sections 120-B/384/388/389 IPC, and Sections 66/66-A of the Information Techonolgy Act, 2000, at Police Station City Palwal.

On 23.05.2016 the following order was passed:-

“ The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.733 dated 17.11.2015, under Sections 384, 388, 389, 120-B of Indian Penal Code and Sections 66/66A of IT Act, registered at Police Station City Palwal, Haryana.

Counsel would submit that name of the petitioner does not even figure in the FIR and he is sought to be implicated only on the disclosure statement of co-accused. Further

submitted that the recovery of Rs. 2 lac already stands effected from co-accused Ajay Rawat and Rambir.

Notice of motion, returnable for 02.09.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

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

Learned Additional Advocate General on instructions from HC Sanjiv has stated that the petitioner has joined the investigation and he is no more required for custodial interrogation.

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 in the present case. Ordered accordingly.

Resultantly, the interim order dated 23.05.2016 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Petition stands allowed.

(AJAY TEWARI)
JUDGE

September 8, 2016
Pkapoor

Whether Speaking/Reasoned:	YES / NO
Whether Reportable:	YES / NO