

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

CRM-M -20487 of 2016 (O&M)

Date of decision: 23.09.2016

Kale @ Phatti

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Satish Chaudhary, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Kamal Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.156 dated 18.03.2016, registered under Sections 5/13 (2) HGS & GS Act, at Police Station Nuh, District Mewat.

On 11.07.2016, this Court had passed the following order:-

“Contends that the petitioner is a small farmer and milk vendor. He is the owner of the cattle in question.

Notice of motion for 23.09.2016.

At the asking of the Court, Mr. Saurabh Mohunta, DAG, Haryana, accepts notice. A complete copy of the paper book has been handed over to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to

the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without previous permission of the Court.”*

It is contended that in pursuance of the order dated 11.07.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.07.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

23.09.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No