

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

CRM-M-20909-2016 (O&M)

Date of decision : 20.09.2016

Surender Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashish Pannu, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Vinod Kumar.

JITENDRA CHAUHAN, J. (Oral)

The petitioner has approached this Court under Section 438 of the Code of Criminal Procedure (for short, 'Cr.P.C.') for grant of pre-arrest bail in case FIR No.168 dated 28.06.2015, registered under Sections 188, 420, 467, 468 and 471 of the Indian Penal Code, at P.S. Barauda, Distt. Sonapat.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He has been implicated on the basis of the disclosure statement of main accused, Anil Kumar, Ex Sarpanch, who has already been admitted to pre-arrest bail. The petitioner has joined the investigation in terms of the orders passed by this Court.

On the other hand, learned State counsel, on instructions submits that the petitioner has though joined the investigation, but he is not cooperating inasmuch as the stamp embossed on the medical certificate is

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yet to be recovered.

Heard.

Keeping in view the fact that the petitioner has been roped in the instant FIR on the basis of the disclosure statement of Anil Kumar, Ex Sarpanch, who has already been allowed anticipatory bail and the petitioner has repeatedly joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 14.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate.

The petition stands allowed accordingly.

However, nothing noticed hereinabove, shall be construed as an expression of opinion of the Court, on the merits of the case.

20.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No