

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

CRM-M-22493-2015 (O&M)
Date of decision : 15.12.2016

SHYAM SUNDER MATYA

...Petitioner (s)

Versus

STATE OF HARYANA

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. N.S. Shekhawat, Advocate for the petitioner (s).

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

Mr. J.S. Mehndiratta, Advocate for the complainant.

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 a case FIR No.213, dated 30.06.2015, registered under Sections 389 and 506 of the Indian Penal Code (for short 'the IPC'), at Police Station Ambala City, District Ambala.

The learned counsel for the petitioner contends that in pursuance of the order dated 21.07.2015, the petitioner has repeatedly joined the investigation and has even given voice samples which were sent to CFSL, Chandigarh. He states that the offence under Section 389 IPC is bailable while there was no threat extended to the complainant to constitute offence punishable under Section 506 IPC.

The learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and no recovery has been effected from him and voice samples have been obtained by the authority and matched by the CFSL.

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 21.07.2015, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned. The voice samples obtained by the authority and matched by the CFSL shall be analyzed by the trial Court.

The petition stands allowed.

15.12.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No