

CRM No. M-28226 of 2016
DECIDED ON: OCTOBER 24, 2016

.....PETITIONER

VERSUS

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner has sought pre-arrest bail in case FIR No. 153, dated 16.04.2015, under Sections 406, 420 and 506 IPC, registered at Police Station Thanesar Sadar, District Kurukshetra.

At the time of issuance of notice of motion on August 12, 2016, the following order was passed by this Court:

“Inter alia, it has been contended by learned counsel for the petitioner that the name of the petitioner does not figure in the FIR and during investigation of the case, he was nominated as one of the accused by Gangadhar but subsequent thereto, even Gangadhar has sworn an affidavit (Annexure P-3) that he has no business or transaction of any sort with the petitioner.

Learned counsel for the petitioner further contends that even Ramesh Kumar, in whose presence the payment of amount in question has

been alleged, has also furnished his affidavit (Annexure P-4) to the effect that the matter has already been settled.

Notice of motion to the respondent for 24.10.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Ram Chander has candidly submits that in compliance of afore-said order, petitioner has joined the investigation and he is no more required for further investigation.

In view of above, order dated August 12, 2016 is hereby, made absolute and shall enure during the pendency of trial.

However, petitioner shall abide by all the terms and conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

OCTOBER 24, 2016
sham

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned *Yes/No*

Whether Reportable *Yes/No*