

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30832 of 2016
DECIDED ON: September 27, 2016

JAGJEET KHAN

.....PETITIONER..

VERSUS

STATE OF HARYANA

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. HPS Ghuman, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J (ORAL)

Through the instant petition preferred under Section 438 of the Code of Criminal Procedure, Jagjeet Khan-petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.341, dated 02.07.2016, under Sections 174-A IPC, Police Station Sadar Fatehabad, District Fatehabad.

2. On 15.09.2016, following order was passed by this Court:-

“It has been inter-alia contended by learned counsel for the petitioner that initially FIR No. 664 dated 18.11.2014 under Sections 395, 365, 342, 420 IPC was registered at Police Station Sadar Fatehabad against the petitioner in which he was declared proclaimed offender. The P.O. order has already been stayed by this Court vide order dated September 02, 2016, which is now listed for September 27, 2016. The instant case i.e. FIR No. 341 dated July 02, 2016 was registered under Section 174-A IPC at

Police Station Sadar, Fatehabad against the petitioner just on the ground that in FIR No. 664 dated 18.11.2014 he has been declared P.O.

List on 27.09.2016.

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.”

3. Learned State counsel has fairly conceded that in compliance of order dated 15.09.2016, the petitioner has already joined the investigation and his custodial interrogation is no more required. Even otherwise, the instant case stands registered against the petitioner as he was declared proclaimed offender in case bearing FIR No. 664, dated 18.11.2014, under Sections 395, 365, 342, 420 IPC, Police Station Sadar Fatehabad.

4. In view of the facts narrated above but without expressing any opinion on the merits of the case, the petition is allowed and order dated 15.09.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

September 27, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*