

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

CRM-M-30990-2016 (O&M)

Date of decision : 15.11.2016

GHANSHYAM

..Petitioner(s)

Versus

STATE OF HARYANA

..Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Angrej Kumar, Advocate for
Mr. Vipul Aggarwal, Advocate for the petitioner(s).

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

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in FIR No.680 dated 19.11.2015, registered under Sections 364-A and 506 of the Indian Penal Code (for short 'the IPC') read with Section 34 IPC and Section 25 of the Arms Act, at Police Station Sadar Palwal, District Palwal.

Learned counsel appearing for the petitioner(s) contends that the petitioner has joined the investigation in pursuance of the order dated 28.09.2016 passed by this Court. He states that statement of the complainant under Section 164 Cr.P.C. has been recorded, however, subsequently he resiled from the statement before this trial Court.

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

On the last date of hearing, this Court had sought the reply as to why no action had been registered against complainant, Jabir Singh for recording false statement under Section 164 Cr.P.C. in the matter. Reply in this regard on behalf of respondent-State has been filed in the Court, is taken on record. As per the reply, proceedings under Section 182 Cr.P.C. have been prepared and submitted before the competent Court on 07.11.2016.

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 28.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

15.11.2016
ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No