

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

***CRM No.M-3807 of 2016 (O&M)
Date of Decision: 27.04.2016***

Laxmi Narain

... Petitioner

Versus

State of Haryana

... Respondent

***2. CRM No.M-3863 of 2016 (O&M)
Date of Decision: 27.04.2016***

Dinesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.K. Verma, Advocate for the petitioner(s).

Mr. Vivek Saini, DAG, Haryana.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of CRM No.M-3807 of 2016 titled as Laxmi Narain Vs. State of Haryana and CRM No.M-3863 of 2016 titled as Dinesh Vs. State of Haryana as these two connected petitions have been filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioners therein in case FIR No.493 dated 20.09.2015, under Sections 467/468/471/120-B IPC, registered at Police Station Dadri Sadar, Tehsil Charkhi Dadri, District Bhiwani.

Notice of motion was issued in these two connected petitions on 03.02.2016 and the orders reads as follows:

*“Counsel would submit that the FIR in question has
been registered on the basis of observations made by the first*

Appellate Court in an appeal filed by the present petitioner against a suit that has been decreed in favour of Sher Singh/complainant. It is further contended that even a Regular Second Appeal has been preferred by the present petitioner and which is pending motion hearing before this Court. It is argued that under such circumstances there would be no occasion for any custodial interrogation of the petitioner and when he is otherwise ready and willing to join investigation.

Notice of motion, returnable for 27.04.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Wazir Singh would apprise the Court that the petitioners have since joined investigation and are not required for any custodial interrogation as there is no recovery which is to be effected from them.

Accordingly, both the petitions are allowed. Orders carrying even date i.e. 03.02.2016 passed in CRM No.M-3807 of 2016 and CRM No.M-3863 of 2016 are made absolute.

Disposed of.

27.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**