

Sr. No. 210

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-40918 of 2015 (O&M)
Date of Decision: 10.03.2016

Shyam Lal

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. D.S.Adlakha, Advocate,
for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.790 dated 28.11.2014, under Sections 406/420/467/468/471 of Indian Penal Code, registered at Police Station City Jagadhri, District Yamuna Nagar.

It may be briefly noticed that the allegations against the present petitioner are with regard to having not completed the work as per requirement/laid down parameters for construction of lawyers' chambers at District Courts Complex, Yamuna Nagar while functioning as a building contractor.

While issuing notice of motion, the following order was passed by this Court on 05.12.2015:-

"The learned counsel refers to the report

of Inquiry Committee and contends that the building committee failed to maintain its record and part of the record is not traceable. For the wrong doing of the building committee under whose supervision the work had been executed by the petitioner, the petitioner has been made a scapegoat.

Notice of motion for 21.12.2015.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1.That he shall make himself available for interrogation by a police officer as and when required;*
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3.That he shall not leave India without prior permission of the Court.”*

Learned State counsel upon instructions from ASI Kushal Pal Singh, Police Station City Jagadhri, would apprise the Court that the petitioner has since joined investigation.

Even the observations contained in the notice of motion order have gone un rebutted.

In view of the circumstances and facts noticed here-in-above, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 05.12.2015, passed by this Court, is made absolute.

Disposed of.

10.03.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE