

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

CRM-M-6256-2016 (O&M)
Date of decision : 17.08.2016

Tenzing Norbu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Manjit Singh, Sr. Advocate,
with Mr. Samrat Malik, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Manoj Kumar.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.754 dated 28.11.2015, registered under Sections 379, 411 and 120-B of the Indian Penal Code and Section 42 of the Indian Forest Act, 1927, at Police Station Bilaspur, Gurgaon.

Heard.

On 27.02.2016, the following order was passed:-

“Learned senior counsel would advert to the order dated 23.12.2015, passed by the learned Additional Sessions Judge, Faridabad in terms of which interim bail at the first instance had been granted to the petitioner by observing that no case under sections 379, 411 I.P.C had been made out and that offences under the Indian Forest Act were bailable. Subsequently, such concession has been cancelled by observing that the petitioner had not joined investigation.

It has been argued that the report of the I.O as regards not joining investigation is perverse and in any case the

petitioner is ready and willing to appear before the I.O. That apart, it is submitted that perusal of the F.I.R would reveal that the entire allegation pertains to unlawful trading and storing of sandalwood, whereas what is actually being recovered, is red sanders wood, which is a completely distinct and different product and carries a substantially lower market price.

List on 12.5.2016.

In the meanwhile, petitioner is directed to join investigation and to appear before the I.O on 10.3.2016 at 11 A.M.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/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.

A copy of this order be furnished to learned counsel for the petitioner under the signatures of Bench Secretary.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

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 27.02.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

17.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No

ATUL SETHI
2016.08.17 17:40
I attest to the accuracy and
authenticity of this document
Chandigarh