

**Sr. No. 212
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No.M-7552 of 2016 (O&M)
Date of Decision: 25.05.2016**

Dheeraj Jain

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Johan Kumar, 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.70 dated 13.02.2016, under Sections 148, 149, 323, 324, 379, 452, 506 of Indian Penal Code, registered at Police Station Hodal, District Palwal.

While issuing notice of motion, the following order was passed by this Court on 02.03.2016:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.70 dated 13.02.2016, under Sections 148/149/323/324/379/452/506 IPC, registered at Police Station Hodal, District Palwal.

Counsel would inter alia contend that the petitioner is a practicing Advocate and it is a clear case of false implication. In support of such assertion, it is contended that the real aunt of the present petitioner has lodged FIR No.346 dated 14.06.2015, under Sections 323/354-A(1)/

452/506 IPC registered at Police Station Hodal, District Palwal against the complainant and in which no progress was being made by the Investigating Agency and on account of which CRM No.M-1243 of 2016 was filed before this Court and notice of motion was issued on 14.01.2016. The present FIR is stated to be a mere counter blast to such proceedings. It is further contended that even otherwise no specific injury has been attributed to the present petitioner.

Notice of motion, returnable on 25.05.2016.

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 SI Liakat Ali would apprise the Court that petitioner has since joined investigation.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Present petition is allowed. Order dated 02.03.2016, passed by this Court, is made absolute.

Disposed of.

25.05.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE