

CRM-M-18420-2017

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

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Date of Decision:29.08.2017

Devender Singh @ Devender Singh Mor

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Keshav Pratap Singh, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Sukhraj Singh Brar, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

Petitioner-Devender Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in criminal complaint No.12 of 2016 dated 09.02.2016, titled as 'Jaswinder Singh vs. Devender Singh Mor', in which the petitioner has been summoned vide order dated 20.03.2017 passed by learned Judicial Magistrate Ist Class, Dabwali, District Sirsa.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of respondent No.1-State and respondent No.2-complainant has also appeared through his counsel. They contested the instant petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner argued that the petitioner has already surrendered before the trial Court and has been released on interim bail. He further argued that the present petitioner, who was working as Director/Principal, Ch. Devi Lal, State Institute & Technology, Panni Wala Mota, Sirsa, is presently posted as Director-Principal Ch. Ranbir State Institute of Engineering and Technology, Salani Kesho, District Jhajjar. Respondent No.2-complainant, who was working as Security Officer at Ch. Devi Lal State Institute and Technology, has been dismissed from the job one day prior to the occurrence and, therefore, he has filed the false complaint. He further argued that earlier also, respondent No.2-complainant filed a complaint before the police authorities on the similar facts and as per the report (Annexure P-3), that complaint was found to be false.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the facts that complaint given to the police on the similar facts has already been found to be false and respondent No.2-complainant being the security officer has been dismissed by the present petitioner from the service and that the petitioner has already surrendered before the trial court and has been released on interim bail, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present

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petition, the same is allowed. The order dated 22.05.2017, granting interim bail to the petitioner, is made absolute.

29.08.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No