

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

Sr. No.206

CRM-M No.3748 of 2017
Date of decision: 27.03.2017

Ompal

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Manoj Kumar Pundir, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in FIR No.407 dated 03.07.2016, registered under Sections 3, 3A, 3B, 5, 6, 22, 23 of PNDT Act and Sections 420, 315 & 511 IPC, at Police Station City Jagadhari, District Yamuna Nagar.

Vide order dated 07.02.2017, while issuing notice of motion, this Court had ordered that in the event of arrest, petitioner shall be released on ad-interim anticipatory bail to the satisfaction of the arresting officer subject to the conditions prescribed under Section 438(2) Cr.P.C.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in the present case; he has been arrayed as an accused only on the disclosure statement of one co-accused Sehzaad; the petitioner was not present at the site of occurrence as

on that date and time he was in Primary Health Centre, Shamli and that in view of the interim order of this Court, the petitioner has not only joined the investigation but also fully cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Lajja Ram, admits that in pursuance to the ad-interim anticipatory bail granted to the petitioner, he has joined the investigation and no longer needed for any further questioning.

After considering the above submissions, the petition is allowed and order dated 07.02.2017 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the conditions as prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered to be an expression of opinion by this Court on the merits of the case.

If the petitioner is found indulging in any criminal act or misusing the concession of bail granted by this Court, it would be open to the State to seek cancellation of bail granted through this order by filing an appropriate application before the competent Court/this Court.

(DEEPAK SIBAL)
JUDGE

March 27, 2017

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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>