

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39589-2016
Date of decision-27.01.2017

Manoj

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. N.K.Malhotra, Advocate, for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
assisted by ASI Vijay Pal.

Mr. Pankaj Mehta, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.442 dated 27.06.2016, registered under Sections 460 and 411 read with Section 34 at Police Station City, District Hansi.

On 07.11.2016, this Court had passed the following order:-

“Learned counsel for the petitioner states that the petitioner being a goldsmith is a bonafide purchaser of jewellery. The value of jewellery had been assessed as Rs.1,58,000/- and the payment was released as Rs.1,40,000/-. Therefore, the jewellery was never purchased by the petitioner at a throw-away price.

Notice of motion for 27.1.2017.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 07.11.2016, the petitioner has joined the investigation. The learned State counsel, submits that 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 07.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

January 27, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No