

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

CRM-M -43850 of 2016 (O&M)

Date of decision: 02.02.2017

Mohammad Rijwan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mohd. Salim, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Avtar Singh.

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.72 dated 26.06.2016, registered under Section 3 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, at Police Station Odhan, District Sirsa.

On 07.12.2016, this Court had passed the following order:-

“Contends that the petitioner is not named in the FIR. The vehicle loaded with the cattle located at Sirsa was removed by the co-accused-driver without the knowledge and permission of the petitioner.

Notice of motion.

Mr. Pawan Garg, AAG, Haryana, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.*

List again on 02.02.2017.”

It is contended that in pursuance of the order dated 07.12.2016, the petitioner has joined the investigation

The learned State counsel, on instructions 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 07.12.2016, 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.

02.02.2017

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(JITENDRA CHAUHAN)
JUDGE

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