

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-45327 of 2016 (O&M)
Date of Decision: 08.03.2017

Bijender Singh Tushir

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.288 dated 13.8.2016 under sections 420, 467, 468, 471, 120-B, 273 I.P.C (offence under Section 407 I.P.C was added on 20.9.2016), registered at Police Station, Madlauda, District Panipat.

Allegations in a nutshell against the present petitioner as also other co-accused are that a particular M.A.G chemical was mixed while preparing Bitumen and thereby the general public has been cheated by selling such Bitumen which was not of the appropriate quality/standard.

On 19.12.2016, while issuing notice of motion, the following order was passed by this Court:-

“Inter-alia, it has been contended by learned counsel for the petitioner that similarly situated co-accused have already been granted the concession of pre-arrest bail by this Court vide order dated 02.12.2016 captioned as “Raju @ Raj Pal and others vs. State of Haryana”.

Notice of motion for 08.03.2017.

In the meanwhile, petitioner is directed to join the investigation within seven days from the date of certified copy

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of this order. In the event of arrest, petitioner shall be released on interim bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Kulbir Singh would apprise the Court that the petitioner has since joined investigation. It has further been submitted that the entire stock of Bitumen in question has already been seized. Investigation stands concluded and even challan stands presented.

In view of the facts and circumstances noticed herein above, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 19.12.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

08.03.2017

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Whether speaking/reasoned: Yes
Whether Reportable: No