

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

Sr. No.202

**CRM-M No.46773 of 2016
Date of decision: 08.05.2017**

Sanjay Kangra

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Diwan S. Adlakha, 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 the concession of anticipatory bail in FIR No.432 dated 18.12.2016, registered under Sections 342, 294, 353, 506, 188 IPC and Section 5 Noise Act, at Police Station Farakpur, District Yamuna Nagar.

On 29.12.2016, while issuing notice of motion, this Court had granted ad-interim anticipatory bail to the petitioner subject to the satisfaction of the Investigating officer.

The case of the prosecution is that on having received a complaint of loud music being played at the house of the petitioner, a police official visited his house but he was abused by the petitioner and his co-accused.

Learned counsel for the petitioner has submitted that the present FIR has been lodged after unexplained delay; the petitioner has been

petitioner was performing religious programme; the dispute occurred on the complainant's asking for money which the petitioner refused and that, under the interim orders of this Court, the petitioner has joined the investigation and fully cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Jasbir Singh, admits that the petitioner has joined the investigation and has fully cooperated with the investigating agency. He further submits that the petitioner is not needed for further questioning.

In view of the above, without commenting on the merits of the case, the petition is allowed and the order dated 29.12.2016 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the condition 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 during the pendency of the present petition, the petitioner is found indulging in any other criminal activity/misusing the concession of bail, it will be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the granted bail to the petitioner through this order.

(DEEPAK SIBAL)
JUDGE

May 08, 2017
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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>