

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-10679-2018(O&M)

Date of Decision: 25.04.2018

Gaurav Virmani

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Gaurav Kathuria, Advocate for the petitioner.

Mr. Amrik Narwal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

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 FIR No.144 dated 29.1.2018 under sections 195-A, 323, 341, 506 I.P.C, registered at Police Station, Ballabhgarh City, District Faridabad.

On 14.3.2018, while issuing notice of motion, the following order was passed by this Court:-

“The instant petition has been filed under Section 438 Cr.P.C seeking the concession of pre-arrest bail to the petitioner in case FIR No.144 dated 29.1.2018 under sections 195-A, 323, 341, 506 I.P.C, registered at Police Station, Ballabhgarh City, District Faridabad.

Counsel contends that the complainant is a close relative of the petitioner being son of the paternal uncle. Dispute is essentially civil in nature and relating to possession/ownership of a shop. Earlier FIR No.625 of 2016 had been registered at Police Station, City Ballabhgarh at the instance of the petitioner and in which allegations had been leveled against the present petitioner as also his father with

regard to fraudulent transfer of the shop in question and in which case petitioner had been granted concession of regular bail. In so far as the instant FIR is concerned, the allegation is of having inflicted a danda blow on the person of the complainant. Also urged that till date no civil proceedings have been initiated in respect of the shop which forms the genesis of the entire dispute.

Notice of motion, returnable for 25.4.2018.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Rakesh Kumar would apprise the Court that the petitioner has since joined investigation. That apart, observations made by this Court in the notice of motion order have gone uncontroverted.

Petitioner having joined investigation, his custodial interrogation, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 14.3.2018, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.04.2018
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No