

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

Sr. No.204

CRM-M-1452-2018
Date of decision : 28.02.2018

Maharaja Chouhan

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Anirudh Kush, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

Pursuant to order dated 16.01.2018, reply by way of affidavit of Sh. Shamsher Singh, HPS, Assistant Commissioner of Police, Crime, Gurugram has been filed by the learned State counsel in Court today and the same is taken on record.

According to this reply, an amount of Rs.6,200/- has been deposited in the account of the petitioner and therefore, custodial interrogation of the petitioner is allegedly required to unearth the conspiracy. However, it is admitted that pursuant to interim anticipatory bail granted by the learned Sessions Court, the petitioner had joined the investigation on 09.10.2017. Thus, it is evident that the concerned I.O. mislead the learned Sessions Court and mislead to passing of the impugned order.

The Commissioner of Police, Gurugram, is directed to initiate appropriate disciplinary proceedings against the concerned I.O for misleading the Court.

Learned counsel for the petitioner contends that the main accused in this case have been released on regular bail. This statement is not disputed by the learned counsel for the State.

In this view of the matter and keeping in view the fact that the petitioner is ready to join investigation, the present petition is disposed of with direction that in case of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his compliance of the conditions enshrined under Section 438(2) Cr.P.C.

(SUDHIR MITTAL)
JUDGE

February 28, 2018
Ramandeep Singh