

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-4829 of 2018 (O&M)

Date of decision: 19.03.2018

Parmanand

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Vipin Yadav, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. A.G. Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of instant petition filed under Section 438 Cr.P.C. Seeking concession of pre-arrest bail to the petitioner in case FIR No. 04, dated 10.01.2018, under Sections 147, 149, 186, 294, 332, 341, 353 and 506 IPC registered at Police Station Kosli, District Rewari.

While issuing notice of motion on 06.02.2018, the following order was passed by this Court:

"The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.04 dated 10.01.2018, under Sections 147, 149, 186, 294,332, 341, 353 and 506 IPC registered at Police Station Kosli, District Rewari.

FIR has been registered on the statement of Manoj Kumar who is stated to be working as Driver under Haryana Roadways, Haryana Depot. Allegations are that on 10.01.2018 while complainant along with Conductor Naveen Kumar were proceeding on a particular bus route, 15-16 persons halted the bus and thereafter manhandled and abused the complainant as also the driver.

Counsel submits that it is a case of false implication. The name of the present petitioner has figured only in pursuance to some inquiry having

been conducted by the complainant at his own level. Further contended that it is a case of no injury and the petitioner in any case is ready and willing to join investigation.

Notice of motion, returnable for 19.03.2018.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

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

Learned State counsel upon instructions from Head Constable Yashpal, Police Station Kosli informs the Court that the petitioner had joined the investigation.

That apart, the observations made by this Court in the notice of motion order have gone uncontroverted.

Under such circumstances custodial interrogation of the petitioner would not be warranted.

Prayer made in the instant petition is accepted. Order dated 06.02.2018 is made absolute.

Disposed of.

March 19, 2018

Poonam (II)

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned?
ii) Whether reportable?

Yes/No
Yes/No