

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

Crl. Misc. M-5601 of 2018 (O&M)
Date of Decision: September 07, 2018

Kamal Kant Chauhan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Munish Garg, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Kamal Kumar Chaudhary, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.27 dated 16.01.2018, under Sections 323, 377, 406, 498-A of the Indian Penal Code, registered at Police Station Faridabad Old.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

On the other hand, learned counsel for the complainant opposes the grant of anticipatory bail to the petitioner.

Per contra, learned State counsel, on instructions from the Investigating Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 16.05.2018 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

September 07, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No