Sr. No.206

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-9562 of 2018 (O&M)
Date of Decision: 20.04.2018

Naresh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. S.K.Yadav, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.25 dated 20.11.2014, under Sections 409, 420, 467, 468, 471 IPC and subsequently added Sections 13 (1) (C) and 13 (2) of Prevention of Corruption Act 1988, registered at Police Station SVB(H), District Gurgaon.

While issuing notice of motion, the following order was passed by this Court on 07.03.2018:-

"Petitioner seeks concession of pre arrest bail in case FIR No.25 dated 20.11.2014, under Sections 409, 420, 467, 468, 471 IPC and subsequently added Sections 13(1) (C) and 13 (2) of Prevention of Corruption Act 1988, registered at Police Station SVB (H), District Gurgaon.

Counsel would submit that initially FIR was

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registered under Sections 409, 420, 467, 468, 471 IPC and at that stage petitioner was granted concession of pre arrest bail.

It is only at the stage of presentation of challan that offence under Sections 13 (1) (C) and 13 (2) of the Prevention of Corruption Act 1988 have been added i.e. on 09.1.2018 and under such peculiar circumstances petitioner now apprehends arrest.

It is argued that allegations remain the same which had led to the registration of the FIR in the year 2014 and even investigation in the case is complete.

Counsel argues that under such circumstances custodial interrogation of the petitioner would not be warranted.

Notice of motion, returnable for 20.04.2018.

In the meanwhile, it is directed that in case the petitioner duly appears before the trial Court on the date already fixed i.e. on 13.03.2018, he would be entitled to interim bail subject to satisfaction of the trial Court."

During the course of arguments, it has gone uncontroverted that petitioner duly appeared before the trial Court on 13.03.2018 and was admitted to interim bail upon furnishing requisite bail bonds/surety bonds.

Learned State counsel upon instructions from SI Jai Chand informs the Court that after presentation of challan even

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charges have been framed.

Petitioner having joined trial proceedings, prayer made in the instant petition is accepted.

Order dated 07.03.2018, passed by this Court is made absolute.

Disposed of.

20.04.2018 **(TEJINDER SINGH DHINDSA)**
vandana **JUDGE**

Whether speaking/reasoned Yes
Whether Reportable No

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