

211-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1171-2019

Date of decision-05.02.2019

Sandeep

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anshumaan Dalal, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Raj Kumar.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.658 dated 05.09.2018 registered under Sections 323, 341 and 506 read with Section 34 of Indian Penal Code (Section 307 IPC added lateron) registered at Police Station Sadar Bhiwani, District Bhiwani.

On 14.01.2019, this Court had passed the following order:-

“Learned counsel for the petitioner contends that originally FIR was registered for the offences punishable under Sections 323, 341 and 506 read with Section 34 of Indian Penal Code (in short 'IPC') and upon arrest, petitioner was released on bail vide order dated 18.09.2018 (Annexure P-2). It is pointed out that after a period of three months, offence punishable under Section 307 IPC stands introduced by the Police. Learned

counsel for the petitioner has further argued that complainant is police official and therefore, possibility of manipulating the evidence and introduction of 307 IPC cannot be ruled out.

Notice of motion for 05.02.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-61816-2018.”

Learned counsel for the petitioner contends that in pursuance of the order dated 14.01.2019, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Raj Kumar submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, the interim bail granted by this Court vide order dated 14.01.2019, is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

05.02.2019

vanita

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