

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3785 of 2019 (O&M)
Date of decision : 14.02.2019

Shish Pal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.K.Aggarwal, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.236 dated 31.08.2011 registered under Sections 420/406/506/120-B IPC at Police Station Pehowa, District Kurukshetra.

Counsel for the petitioner has argued that the FIR was lodged in the year 2011. Initially the petitioner was found innocent but has now been sought to be implicated.

Learned Deputy Advocate General on instructions from ASI Narender Singh states that originally the police had found the petitioner to be innocent but on further investigation (which was directed by the Court) his involvement was there.

In my considered opinion, even if this is so no useful purpose would be served by taking the petitioner in custody after 8 years.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 22.02.2019 and on any other date as and when his presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

14.02.2019

Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No