

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

**CRM-M No.5848 of 2019 (O&M)
Date of Decision: 27.05.2019**

Ibbar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Munfaid Khan, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.235 dated 12.11.2018, under Sections 379 and 188 of the Indian Penal Code, 1860, registered at Police Station Pinagwan, District Nuh.

This Court, on 26.02.2019, passed the following order:-

“ Contends that the petitioner has no role in commission of offence alleged in FIR No.235 dated 12.11.2018, under Sections 379 and 188 of the Indian Penal Code, 1860, registered at Police Station Pinagwan, District Nuh. Further contends that as a matter of fact Irfan son of Nizzar, Sharif son of Zamil, Ruddar son of Saudan, Samsu son of Ganni and Saurab son of Attru all residents of Jhimrawat are the persons who were involved in the illegal mining and he has produced an affidavit to this effect, which is taken on record.

Adjourned to 28.03.2019 for further consideration.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.

Let the Investigating Officer of the case be present in the Court on the next date of hearing. ”

Contents that in terms of above order, petitioner has joined the investigation and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Khem Chand.

In view of above, interim order dated 26.02.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

May 27, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>