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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9237-2019

Date of decision-04.04.2019

Shahjad Saifi

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Abhinav Sood, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

Mr. Nishchal Mann, DAG, Haryana assisted by
ASI Naresh 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.611 dated 03.10.2018 registered under Sections 323, 341, 342, 365, 506 and 509 read with Section 34 of Indian Penal Code at Police Station Quilla Panipat, District Panipat.

On 28.02.2019, this Court had passed the following order:-

“Learned counsel for the petitioner contends that the petitioner has already filed a complaint under Section 138 of the Negotiable Instruments Act, 1881 against the complainant- Pankul Sehgal. The FIR has been lodged with the allegations that the complainant and the accused were going on their respective two wheelers but the petitioner allegedly stopped the complainant and forcibly made him to sit on his two wheeler. It is further alleged that a blank cheque was given to the petitioner which has

been misused. Learned counsel for the petitioner contends that a false case has been set up to create a defence under Section 138 of the Negotiable Instruments Act, which is a complaint case.

Notice of motion for 04.04.2019.

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

Learned counsel for the petitioner contends that in pursuance of the order dated 28.02.2019, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Naresh 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 28.02.2019 is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

04.04.2019

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