

CRM-M-NO.9118 OF 2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-NO.9118 OF 2019
Date of Decision: 29.04.2019

Bikar SinghPetitioner

versus

State of Haryana and anotherRespondents

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present Mr.H.S.Moudgill, Advocate for the petitioner.
Mr. Yashwinder Singh, DAG, Haryana.
Mr.Kushagra Mahajan, Advocate for complainant.

MAHABIR SINGH SINDHU, J (ORAL)

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C.') for grant of pre arrest bail to the petitioner in case FIR No.16 dated 04.02.2019, under Sections 406, 420,467,468 and 471 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Guhla, District Kaithal.

This Court on 28.02.2019 passed the following order:-

“Learned counsel for the petitioner submits that case of the petitioner is at par with co-accused Gurpreet Singh, who has been granted interim anticipatory bail vide order dated 22.02.2019 passed in CRM-M No.7926 of 2019.

Notice of motion.

On asking of the Court, Mr. R. S. Doon, AAG, Haryana accepts notice on behalf of the respondent-State and seeks time to get instructions. Copy of petition be supplied to him during course of the day.

Mr. Kushagra Mahajan, Advocate has put in appearance on behalf of the complainant and has opposed the bail on the ground that the petitioner is habitual offender and one more case of similar nature is pending against him. He is a member of gang and number of persons are involved in commission of such like offences.

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Adjourned to 15.03.2019.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail to the satisfaction of the arresting officer till the next date of hearing. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make himself available for interrogation before Investigating Officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court.”*

Learned counsel for the petitioner has submitted that in terms of the previous order dated 28.02.2019 of this Court, the petitioner has joined the investigation.

The above factual position is duly acknowledged by learned counsel for the complainant.

Learned State counsel has also acknowledged, on instructions from SI Bhim Singh, the factum of joining the investigation by the petitioner.

In view of the above, the interim order dated 28.02.2019 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C and the present petition is disposed off.

29.04.2019
mamta

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No