

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

CRM-M-13756-2019

Date of decision-29.05.2019

Ayub

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Himanshu Rao, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana assisted by
ASI Bhagwan Dass.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.138 dated 02.04.2018 under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code registered at Police Station Dharuhera, District Rewari. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 27.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged loan was obtained by the petitioner in the year 2009 from State Bank of India, Dharuhera and at the same time, land belonging to the petitioner was mortgaged. The said land was got verified by the Bank and after recording its satisfaction, the loan was advanced. The FIR was registered in April, 2018 on the ground that the land owned by the petitioner is actually less than the land allegedly claimed by him at the time of the

loan.

Notice of motion for 29.05.2019.

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 further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Bhagwan Dass does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Bhagwan Dass further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.03.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

29.05.2019

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