

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15235-2019

Date of Decision: 06.05.2019

Sanjay

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Nitin Meel, Advocate for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

Mr. Jitender Malik, Advocate for the complainant.

...

Inderjit Singh, J. (Oral)

Petitioner Sanjay has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.189 dated 16.09.2017, registered at Police Station Bass, Hansi, District Hisar, under Sections 406, 420, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel and counsel for the complainant have appeared and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, the FIR has been quashed qua co-accused, namely, Gulshan on the basis of compromise. The present petitioner is not named in the FIR. Though, it is stated by learned counsel for the petitioner that as the complainant has entered into compromise with the main accused and the matter has been settled fully, therefore, the petitioner is not required for custodial interrogation.

In pursuance of the interim order dated 03.04.2019, passed by this Court, the petitioner has already joined the investigation. As the complainant has already compromised the matter with co-accused and has also got quashed the FIR qua him, no useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 03.04.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

06.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No