

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

CRM-M-20748-2019

Date of decision-20.08.2019

Mahipal

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana assisted by
SI Surender Kumar.

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.30 dated 23.01.2019 under Sections 51, 63 and 65 of Copyright Act, 1957 and Section 420 IPC registered at Police Station Kasola, District Rewari. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 07.05.2019 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 petitioner had purchased a running business of Cable Network from the owner of the Narnaul Cable Network Service Pvt. Ltd. in January, 2019, who has been indicted in FIR No.30 dated 23.01.2019 for the offences under Sections 51/63/65 of Copyright Act, 1957 and Section 420 IPC registered at Police Station Kasola, District Rewari recorded on the basis of statement of Manoj Kumar. It is further contended that the FIR does not reveal any particulars i.e. the alleged date and time of broadcast/transmission of the songs which were the

subject matter of the said copyright. According to him, custodial interrogation of the petitioner may not be necessary.

Notice of motion for 20.08.2019.

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 SI Surender Kumar does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Surender Kumar 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 07.05.2019 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

20.08.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No