

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45473-2018

Date of decision: 29.01.2019

Prahlad Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Kamlesh, Advocate for
Mr. Manish Soni, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.214 dated 11.05.2018 under Sections 120-B, 223, 224, 225A IPC and Sections 222, 225, 201 IPC (added later on), registered at Police Station Badshahpur, District Gurugram.

While granting interim anticipatory bail to the petitioner, following order was passed on 12.10.2018: -

“.....Learned counsel for the petitioner submits that as per allegations in the FIR, four police officials namely Balbir, Sandeep, Rammehar and Jasbir had taken convict Rajesh Kumar in police custody for appearance in LLB examination, who after appearing in the examination, escaped from the police custody. It is further submitted that the petitioner is father of said Rajesh Kumar and he along another son of the petitioner namely Rakesh

Kumar are involved in the present FIR with the aid of Section 120-B IPC and son of the petitioner namely Rakesh has already been granted the concession of anticipatory bail vide order dated 26.09.2018 passed by the Additional Sessions Judge, Gurugram, whereas anticipatory bail of the petitioner was dismissed, though the allegations against both of them are identical. Learned counsel further submits that the aforesaid police officials have also been granted the concession of anticipatory bail vide order dated 13.06.2018 passed in CRM-M-25872-2018 and order dated 14.06.2018 passed in CRM-M-26018-2018 and the same have become absolute vide orders dated 11.09.2018.....”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Ashok Kumar, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 12.10.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

29.01.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No