

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

CRM-M-48971 of 2018(O&M)

Date of Decision:21.01.2019

Dr. Mahesh Dagar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Monisha Lamba, Advocate
for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.6596 dated 04.09.2018 registered under Sections 135, 151 of Electricity Act, 2003 (IE Act) at Police Station Irrigation and Power (Electricity), District Faridabad.

On 02.11.2018, while issuing notice of motion the following order was passed by this Court:

“ It is contended by the learned counsel for the petitioner that in terms of order dated 06.09.2018 passed by the learned Civil Judge (Jr. Division), Faridabad, the petitioner has already deposited an amount of Rs.2.50

lacs and the matter is still pending before the civil Court.

Notice of motion for 21.01.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

It is contended by learned counsel for the petitioner that in terms of the order dated 02.11.2018, the petitioner has joined investigation and his custodial interrogation is no longer required.

On instructions from HC Ajit Singh, the above factual position is duly acknowledged by learned State counsel and stated that the custodial interrogation of the petitioner is no longer required.

In view of the above, the order dated 02.11.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

January 21, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no