

210

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

CRM-M-23272 of 2019

Date of decision: September 06, 2019

Mahesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Surinder Dagar, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.486 dated 04.07.2018, under Sections 379-B, 365, 34 of Indian Penal Code, 1860 and Section 25 of Arms Act, 1959, registered at Police Station Sadar Palwal, District Palwal.

As per prosecution case, petitioner along with his co-accused gave beatings to the complainant and his brother, and also snatched ₹14,000/- and a cell phone. They also demanded ransom from the family members of the complainant.

On 21.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that the complainant has submitted an affidavit before the Investigating Officer to the effect that petitioner has no role in the present case and reference is made to P-1.

Notice of motion for 01.08.2019.

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 in the present case 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.”

Learned State counsel, on instructions from Sub Inspector Mohd. Harun has stated that in terms of order dated 21.05.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 21.05.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

September 06, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No