

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24935-2019
Date of decision-24.09.2019

Suresh Pal

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
SI Gian Singh.

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.135 dated 08.05.2019 under Sections 420, 406, 120-B and 506 of Indian Penal Code, 1860 registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner states that during the investigation Sections 467, 468 and 471 IPC were added in the FIR. This fact is not disputed by learned State counsel.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.05.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 135 dated 08.05.2019 under Sections 420, 406, 120-B, 506 of Indian Penal Code, 1860, registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

Contends that M/s Sushil & Company and M/s Jatin & Company had been allotted tenders by the Government of Haryana for the deployment of Multi Purpose Worker under the outsourcing policy. The petitioner had been authorized by the said companies to work on their behalf. As such, the company issued appointment letter dated 19.06.2018 for the post of Multi Purpose Worker to the complainant. Thereafter, the authorities concerned suspended the employment of Multi Purpose Worker under the outsourcing policy. The learned counsel submits that the petitioner had only worked as per guidelines fixed by the competent authority. Further there is no evidence of the complainant handing over the alleged amount of Rs.1,80,000/- to the accused/petitioner.

Notice of motion for 24.07.2019.

Meanwhile, the petitioner shall join investigation and appear before the Investigation Agency as and when required. On doing so, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. The petitioner shall abide by the terms and conditions as stipulated in 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 Gian Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Gian Singh further states that the petitioner is not required for custodial interrogation for the time being in case FIR No.135 dated 08.05.2019 under Sections 420, 406, 120-B and 506 IPC (Sections 467, 468 and 471 IPC added later on) registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.05.2019 is made absolute.

24.09.2019

vanita

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No