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

CRM-M-26319 of 2019

Date of decision: September 06, 2019

Satish Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None 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.58 dated 20.01.2019, under Sections 34, 406 and 420 of the Indian Penal Code, 1860, registered at Police Station Bhiwani City, District Bhiwani.

As per prosecution case, petitioner along with his co-accused, namely Mangu duped the complainant to the tune of ₹1,30,000/- on the pretext of providing job to his son. They also abused the complainant and threatened him to kill.

On 06.06.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that matter has been compromised between the parties and reference in this regard is made to affidavit (P-2).

Notice of motion for 07.08.2019.

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 Assistant Sub Inspector Giri Raj, has stated that in terms of order dated 06.06.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 06.06.2019 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

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No