

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

CRM-M-26895-2019

Date of decision-11.07.2019

Raj Kumar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nirmal Singh, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Gauri Shanker.

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.426 dated 07.09.2018 under Sections 120-B, 420, 467, 468 and 471 of Indian Penal Code registered at Police Station Tosham, District Bhiwani. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 17.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The petitioner is seeking anticipatory bail in FIR No.426 dated 07.09.2018, under Sections 120-B, 420, 467, 468, 471 IPC, registered at Police Station Tosham, District Bhiwani.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he had impersonated as Bhagwan Singh while getting the tractor transferred in the name of Attar Singh. He further contends that the tractor is stated to have been purchased by the father of the complainant Bhagwan Singh and Attar Singh in the year 1992 and the alleged deed of

transfer was made in the year 2012 while the FIR was lodged after a delay of 6 years in the year 2018. He also contends that the main accused namely Krishan had been granted anticipatory bail by a Co-ordinate Bench of this Court in CRM-M- 41973 of 2018 on 15.02.2019.

Issue notice to the respondent, returnable on 11.07.2019. In the meantime, the petitioner is directed to appear before the Investigating Officer and join investigation. In the event of his arrest, the Investigating Officer/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall remain bound by the conditions envisaged under 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 ASI Gauri Shanker does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Gauri Shanker further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 17.06.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

11.07.2019

vanita

Whether speaking/reasoned :

Whether Reportable :

Yes

Yes

No

No