

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

**CRM-M No.29052 of 2019
Decided on: 30.07.2019**

Suresh Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : None for the petitioner.

ASI Bahadur Singh.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.86 dated 17.05.2019 registered under Sections 409, 420 IPC at Police Station Bass, District Hisar.

The operative part of the order dated 11.07.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned Senior Counsel for the petitioner inter alia contends that the petitioner remain the Sarpanch for the year 2010-2015 and his tenure came to an end on 24.07.2015. It is further submitted that as per the provisions of Section 53(5) of the Haryana Panchayati Raj Act, 1944, even on account of any civil consequences, the period of limitation for initiating any proceedings was 02 years, however, after a lapse of period of 02 years, the present FIR has been registered on a complaint given by one Mahinder Singh, with whom the petitioner has an old

political rivalry.

Learned Senior counsel for the petitioner has further argued that even on an earlier occasion, the petitioner was involved in another FIR in which he has been granted the concession of regular bail and the allegations in the said FIR also pertains to the same tenure and it was open for the authorities to have initiated any such proceedings which is initiated in the present case while conducting an enquiry in FIR No.97 dated 17.05.2017 and therefore, it will be a debatable issue, to be decided during the course of trial, whether the prosecution in the second FIR is maintainable.

Notice of motion for 30.07.2019....”

ASI Bahadur Singh, submits that the petitioner, in pursuance to the order dated 11.07.2019, the petitioner has appeared before the Investigating Officer and joined the investigation and he is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 11.07.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

30.07.2019
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No