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

CRM-M-32630 of 2019

Date of decision: November 26, 2019

Pawan Kumar

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

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

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J

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.272 dated 06.06.2019, under Section 379 of the Indian Penal Code, 1860, registered at Police Station Mahendergarh, District Mahendergarh, Haryana.

On 17.08.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that present FIR has been registered after a delay of 11 days.

Notice of motion for 24.10.2019.

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 SI Resham

Singh, has stated that in terms of order dated 24.10.2019, a Demand

Draft bearing No.829700 dated 18.11.2019 for an amount of ₹15,000/- has already been handed-over to the complainant and the amount was credited in the account, on 20.11.2019. A photocopy thereof has been produced and the same is taken on record, marked as 'X'. Also stated that in terms of order dated 17.08.2019 passed by this Court, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 17.08.2019 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.

It is clarified that payment of ₹15,000/- shall not be considered as an adverse circumstance to the case of the petitioner, in any manner, before the learned trial Court.

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

(MAHABIR SINGH SINDHU)
JUDGE

November 26, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No