

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

210

CRM-M-32941-2019 (O & M)
Date of Decision:23.10.2019

Tarsem Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.S.Dinarpur, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Jitender Dhanda, Advocate for the complainant.

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.115 dated 01.04.2019 under Sections 406 and 420 IPC, 1860, registered at Police Station Sadar Fatehabad. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 16.08.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“CRM-24080-2019

Application is allowed as prayed for.

Annexure P-6 is taken on record.

Main case

Tarsem Lal-petitioner present in person. He

submits that the petrol pump allotted to him by Hindustan Petroleaum was set up with the financial assistance from complainant-Mahabir Singh. He submits that subsequently Mahabir Singh was inducted as a partner in the said petrol pump, who lodged this FIR alleging cheating and criminal breach of trust. According to him, the dispute is purely of civil nature and in the given facts, his custodial interrogation may not be required. He has further placed reliance upon the order dated 17.07.2019 passed in a petition for quashing of the FIR in question.

Notice of motion for 23.10.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-29840-2019. ”

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 on instructions from ASI Hardyal does not dispute this fact that the petitioner has joined the investigation. He 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 16.08.2019 is made absolute.

23.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No