

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

CRM-M No. 33842 of 2019

Date of Decision:-09.12.2019

Ajit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. A.S. Ghuman, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.279 dated 16.9.2018, under Sections 323, 324 and 506 IPC (Section 326 IPC added later on), registered at Police Station Israna, District Panipat. The petitioner apprehended his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 21.8.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the FIR was registered on 16.09.2018 and subsequently the petitioner was extended the concession of anticipatory bail vide order dated 09.10.2018. It was

after nine months, the offence punishable under Section 326 IPC was introduced which has given rise to the fresh apprehension of arrest.

Notice of motion for 09.12.2019.

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.”

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 HC Sunil Kumar does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Sunil Kumar 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 21.8.2019 is made absolute.

December 09, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No