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

CRM-M-33830 of 2019

Date of decision: October 15, 2019

Abhinandan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vinod S. Bhardwaj, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

Mr. Gulshan Nandwani, Advocate for the complainant.

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.214 dated 17.06.2019, under Sections 323, 452, 506, 34 of the Indian Penal Code, 1860, registered at Police Station City Rewari, District Rewari.

On 21.08.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that FIR in the present case is a counter-blast to the earlier FIR No.194 dated 11.06.2019, under Sections 323, 506, 509, 34, IPC, registered at Police Station City, Rewari, lodged at the instance of petitioner and thus, the present FIR is absolutely misuse of the process of law.

Notice of motion for 26.09.2019.

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.

At this stage, Mr. Gulshan Nandwani, Advocate has filed memo of appearance on behalf of the complainant with the undertaking to file power of attorney with the Registry of this Court before the next date of hearing. The same is taken on record.”

Learned State counsel, on instructions from ASI Vinod Kumar, has stated that in terms of order dated 21.08.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 21.08.2019 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.

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

(MAHABIR SINGH SINDHU)
JUDGE

October 15, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No