

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

CRM-M-33835-2019

Date of Decision:17.12.2019

Devaki Nandan

....Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. K.S. Dhaliwal, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.778 dated 30.07.2019 under
Sections 406 and 420 of the Indian Penal Code, registered at Police
Station City Thanesar, District Kurukshetra.

Petitioner, who is present in person, has filed the affidavit
and the same is taken on record and mark 'x'. Paragraph No. 2 of the
same reads as under:

*'2. That in future depnent will not indulge in
committee business in any manner whatsoever.'*

On 23.10.2019, the following order was passed by this
Court:

*“Learned counsel for the petitioner seeks time to supply
the complete list of persons who have made the deposits
with the petitioner, on or before the next date of hearing.
Adjourned to 03.12.2019.*

*In the meanwhile, the petitioner is directed to join
investigation before the Investigating Officer. In the
event of his arrest, the Arresting Officer would admit*

him to interim bail, 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) of Code of Criminal Procedure, 1973.”

It is contended by learned counsel for the petitioner that in terms of the above order, petitioner has already joined investigation.

Learned State counsel on instructions from ASI Neeraj Kumar has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, order dated 23.10.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

December 17, 2019

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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no