

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

**CRM-M-34509-2019
Date of decision-16.12.2019**

Sunder

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None 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.171 dated 20.07.2019 under Sections 279, 336, 379 and 188 of Indian Penal Code, 1860 registered at Police Station Tigaon, District Faridabad, Haryana. The petitioner apprehended his arrest at the hands of Police.

There is no representation on behalf of the petitioner.

On 26.08.2019, 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 alleged recovery of sand was made from tractor trolley which was being carried illegally in violation of the Supreme Court's order. According to him, the offences as alleged may not be made out considering the allegations contained in the FIR.

Notice of motion for 16.12.2019.

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 State counsel who is assisted by ASI Narender Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Narender Singh 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 26.08.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No