

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-38853-2019 (O & M)
Date of Decision: October 30, 2019**

DURGESH KUMAR TIWARI

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vipul Sachdeva, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 47 dated 09.03.2019, under Sections 408, 120-B and 34 of the Indian Penal Code, 1860, registered at Police Station Industrial Manesar, Sector 7, Gurugram, District Gurugram.

Learned counsel for the petitioner contends that the allegations in the FIR are that 740 kilograms of scrap iron was missing the value of which was approximately ₹15,000/-. He also contends that the co-accused, who were working as Security Guards, had been entrusted with the property and the petitioner has been falsely implicated. He also contends that without prejudice to his rights, he is ready to indemnify the loss.

This Court, by the order dated 18.09.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Ashok Kumar, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 18.09.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

October 30, 2019

A.Kaundal

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