

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

CRM-M-666-2020

Date of Decision:-18.02.2020

Gaurav @ Jitender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Mohit Garg, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

JASGURPREET SINGH PURI 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.386 dated 06.11.2019, under Sections 323, 452, 379, 427, 506, 34 IPC, registered at Police Station Dharuhera, District Rewari. 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 10.1.2020 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, inter alia, contends that even as per the FIR the only role

attributed to the petitioner is that he had demanded some bottles of wine without giving any money and on refusal the petitioner had abused the complainant and gave beatings to him. He has further contended that there is no injury to the complainant or anybody else. He also relies upon order Annexure P2, whereby co-accused has been granted the concession of bail by this Court.

Learned counsel for the petitioner undertakes that petitioner is ready to join the investigation and shall abide by any condition imposed upon him.

Notice of motion for 18.02.2020.

Meanwhile, the petitioner is directed to appear before the Arresting/Investigating Officer and join the investigation as and when called upon to do so. In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bond/surety bond to the satisfaction of Arresting/Investigating Officer. The petitioner shall abide by all the conditions as provided 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 SI Naresh Kumar does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Naresh 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 10.1.2020 is made absolute.

February 18, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

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