

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

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CRM-M-7347-2020

Date of Decision: 19.02.2020.

Jaswinder Singh

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Anirudh Singh Shera, Advocate for petitioner.

Lalit Batra, J.(Oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail to the petitioner in case F.I.R. No.144 dated 10.05.2019 under Sections 323, 342, 379-B, 452 and 506 IPC read with Section 34 IPC, registered at Police Station Ladwa, District Kurukshetra.

Learned counsel for the petitioner *inter alia* contends that though in the above said case FIR, petitioner was arrayed as accused but as he was not involved in the commission of alleged offence, for the said reason alone, he was exonerated of allegations levelled against him by the Investigating Agency and the said fact has been clearly mentioned in the final report dated 24.06.2019 under Section 173 Cr.P.C. He further submits that since Ravinder Kumar son of Suraj Mal (complainant herein) was involved in cheating etc., then FIR No.298 dated 08.08.2019 under Sections 120-B, 406, 420 and 506 IPC was got registered against him and his accomplices at Police Station Ladwa, District Kurukshetra. He further

submits that in case FIR No.298 dated 08.08.2019, as detailed above, petitioner had associated with complainant-Sumit Kumar to bring the handiwork of cheating etc. to the fore and as such Suraj Mal (complainant herein), father of above said Ravinder Kumar, was having grudge against the petitioner and that too after his exoneration in the instant case FIR. He further submits that since petitioner has been summoned as additional accused while invoking provisions of Section 319 Cr.P.C. in the instant case FIR, his custodial interrogation is not at all required. He further submits that since trial has already commenced, petitioner is ready to join the proceedings of above said trial.

Notice of motion.

At the asking of Court, Mr. Sandeep Vashisth, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State. Complete copy of paper book has been supplied to him.

In view of above, as petitioner has been summoned as additional accused while invoking provisions of Section 319 Cr.P.C. and he has shown his keenness to submit to the trial, which has already commenced, instant petition for grant of pre-arrest bail to the petitioner is disposed of in the manner that petitioner shall surrender before the trial Court on or before 03.03.2020, date already fixed before the trial Court and on surrender, he shall be enlarged on bail, subject to furnishing personal/surety bonds to the satisfaction of trial Court.

Disposed of accordingly.

(LALIT BATRA)
JUDGE

19.02.2020
jitender/rimpal