

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

CRM-M-12213-2020 (O&M)

Date of decision: 4.8.2020

Keshav Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.LM Gulati, Advocate for the petitioner

Mr.Sukhdeep Parmar, DAG, Haryana
assisted by L/ASI Mukesh

JITENDRA CHAUHAN, J.

The matter has been taken up through video-conferencing in the light of the pandemic Covid-19 situation and as per instructions.

By way of the present petition, the petitioner seeks pre-arrest bail in case First Information Report No.163 dated 27.4.2020 registered under Sections 354-A, 427, 506 IPC at Police Station Civil Lines, Bhiwani, District Bhiwani.

Heard.

On 13.5.2020, while issuing notice of motion and granting interim anticipatory bail to the petitioner, the following order was passed:-

“Learned counsel submits that earlier also F.I.R No. 89 dated 10.04.2017 under Sections 420/467/468/471/120-B IPC and F.I.R No. 08 dated 04.01.2020 under Sections

354/354-A(2)/506/509/34 IPC were registered against the present petitioner with respect to family dispute between the parties. In the above F.I.R No. 8, the proceedings have been stayed by this Court vide CRM-M-5206-2020 on 06.02.2020 (P-4). The allegations in the present F.I.R No. 163 dated 27.04.2020 under Sections 354-A/427/506 IPC against the petitioner is that he broke three cameras, window panes etc of the house of the complainant.

Notice of motion for 04.08.2020.

At this stage, Ms. Tanisha Peshawaria, D.A.G, Haryana accepts notice on behalf of respondent-State.

Learned State counsel is not disputing the above facts stated by learned counsel for the petitioner and to get instructions with respect to status of present F.I.R.

Meanwhile, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438 (2) Cr.P.C:-

(a) that the petitioner shall make himself available for interrogation by a police officer as and when required;

(b) that the petitioner shall not directly or indirectly make

any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(c) that the petitioner shall not leave India without the previous permission of the Court; (d) such other condition as may be imposed under sub section (3), as if the bail were granted under that section.”

The dispute is *inter se* the brothers. Learned State counsel, on instructions from L/ASI Mukesh, informs that the petitioner has joined investigation in compliance of the order dated 13.5.2020 and is not required for further custodial interrogation.

In view of the above, the present petition is allowed. The order dated 13.5.2020, vide which the petitioner was granted interim anticipatory bail is made absolute subject to his furnishing bail/ surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

Since, the main case stands allowed, miscellaneous application, if any, stands disposed of accordingly.

4.8.2020
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?	Yes	/	No
Whether reportable?	Yes	/	No