

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

(201-A)

CRM-M-13154-2020

Date of Decision: July 17, 2020

Ravi

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Randeep S. Dhull, Advocate, for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARSIMRAN SINGH SETHI, J.(ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

The petitioner is seeking anticipatory bail in FIR No. 395 dated 30.08.2018, under Sections 420, 467, 468, 120-B IPC, registered at Police Station Civil Lines Kaithal, District Kaithal.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 29.05.2020. Order dated 29.05.2020 is as under:-

“The petition has been taken for hearing through video conference due to Covid-19 pandemic.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in respect of FIR No.395 dated 30.08.2018 under Sections 420,467,468,471 and 120-B IPC registered at Police Station Civil Line, Kaithal, District Kaithal.

Learned counsel for the petitioner argues that the petitioner was not named in the FIR and further that similarly

situated co-accused namely Gyan Singh and Santro have already been extended the benefit of anticipatory bail by this Court vide orders dated 17.02.2020 and 20.03.2020 (Annexures P/2 and P/3) respectively.

Mr. Pardeep Parkash Chahar, DAG, Haryana, who has joined the video proceedings, on service of advance copy of the petition on behalf of State of Haryana fairly concedes that there is no differentiation of facts between the petitioner and co-accused Gyan Singh, who has already been extended the benefit of anticipatory bail by this Court.

I have heard learned counsel for the parties.

Keeping in view the facts recorded above, especially, that the similarly situated co-accused Gyan Singh has already been extended the concession of anticipatory bail by this Court while passing order in CRM-M-5563 of 2020 dated 17.02.2020, the petitioner is entitled for the same benefit as extended to Gyan Singh. Order passed by this Court in Gyan Singh's case (supra) is as under:-

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 0395 dated 30.8.2018 under Sections 420, 467, 468, 120-B IPC registered at Police Station Civil Lines Kaithal, District Kaithal.

Learned counsel for the petitioner submits that petitioner is a labourer working in a Atta Chaki and all the co-accused have been granted regular bail. He further submits that no document has been forged by the petitioner.

Notice of motion for 13.7.2020.

Meanwhile, petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

Notice of motion for 13.07.2020.

Keeping in view the facts noticed before, the petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That he shall make himself available for interrogation by the police officer as and when required.

(ii) That he 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 him from disclosing the said facts to the Court or to any police officer.

(iii) That he shall not leave India without prior permission of the Court.

(iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.

To be heard with CRM-M-5563 of 2020.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from Inspector Nirmal Singh, STF Unit, Ambala states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 29.05.2020 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.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 17, 2020
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No