

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

CRM-M-15706-2020

Date of Decision: 06.08.2020

Chirmal Singh @ Laddi

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. G.S. Sandhu, Advocate,
for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks the concession of 'pre-arrest bail', upon FIR No. 407, having been registered against him at Police Station Assandh, District Karnal, on 07.06.2019, alleging therein the commission of offences punishable under Sections 406, 420, 423, 468, 471 and 506 of the IPC.

Despite the fact that the petitioner had been directed to join investigation 01 month and about 18 days ago on 18.06.2020, by this court, upon which he was to be admitted to interim bail to the satisfaction of the arresting officer, learned State counsel submits that the petitioner came to join investigation only this morning at 09:00 a.m., but without getting any surety along with him, after which he thereafter came at 02:30 p.m., along with the surety and has been admitted to interim bail by the arresting officer, in terms of the aforesaid order.

As a matter of fact, simply because of the fact that the petitioner never cared to even honour the order of this court dated 18.06.2020 till today, the petition ought to be dismissed on that short ground alone; however, in view of what has been recorded on the merits of the case (at least *prime facie*), in the said order, and more importantly, learned counsel for the State having been informed by the investigating officer, i.e. ASI Ajay Kumar, that the petitioners' custodial interrogation is not required, this petition is allowed, with the order dated 18.06.2020, made absolute, on the same terms and conditions.

However, it is made clear that admitting the petitioner to anticipatory bail would not mean that this court has made any observation on the merits of the case as regards the petitioners' innocence or complicity in the commission of the offence, and the investigation would therefore continue wholly independently on the basis of evidence led; and naturally, if a report under Section 173 of the Cr.P.C. is presented indicting any accused therein, the trial court would also, thereafter, proceed wholly on the basis of the evidence led before it.

August 06, 2020

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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes
No.