

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

**CRM-M No.17405 of 2020 (O&M)
Date of Decision: 24.08.2020**

Devi Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. S.S.Dinarpur, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana
for the respondent.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.1212 dated 03.10.2019, under Section 174-A of the Indian Penal Code, 1860, registered at Police Station City Jagadhri, District Yamuna Nagar.

This Court, while issuing notice of motion on 03.07.2020, passed the following order:-

“ Inter alia contends that the complaint filed by the Bank has already been dismissed as withdrawn on 04.02.2020 (P-4), thus, the pendency of the proceedings under Section 174-A of the Indian Penal Code, 1860 is nothing, but abuse of the process of the Court.

Notice of motion for 24.08.2020.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as

envisaged under Section 438(2) Cr.P.C. ”

Contents that in terms of the above order, petitioner has joined the investigation.

Learned State Counsel, on instructions from ASI Jaswant, has acknowledged that in terms of order dated 03.07.2020, petitioner has joined the investigation and his custodial interrogation is not required. Also submits that complainant-Bank has also withdrawn the complaint itself.

In view of above, interim order dated 03.07.2020 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

August 24, 2020
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>