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IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH.

CRM-M-18355-2020 (O&M)

Date of order: 26.08.2020

SOHAN LAL

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arav Gupta, Advocate for the petitioner.
Mr. P.P. Chahar, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for grant of anticipatory bail to petitioner, in case FIR No.211 dated 17.04.2020 under Sections 406 and 420 of IPC, registered at Police Station Civil Line, Jind, Haryana.

On 13.07.2020, while issuing notice of motion, this Court passed the following order:-

“Inter-alia contends that primarily the allegations are against the brother of the petitioner, namely, Balwan Singh and the matter has been compromised by the complainant with Balwan Singh. Reference is made to Annexures P-2 and P-3.

Notice of motion for 26.08.2020

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.”

Contentends that in terms of above order, petitioner has already joined investigation.

Learned State counsel, on instructions from ASI Virender Singh has acknowledged the above factual position and stated that the petitioner has joined investigation and even after investigation, report regarding cancellation of FIR has been submitted to the quarter concerned.

In view of the above, petition is allowed. Order dated 13.07.2020 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr.P.C.

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

The above observations may not be construed as an expression of opinion on the merits of the case.

26 August, 2020
rajender

(MAHABIR SINGH SINDHU)
JUDGE

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