

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20708-2019

Date of Decision: 21.01.2020

Dharaminder @ Ashu

.. Petitioner

Vs.

Staet of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.S. Dhaliwal, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Rishi Lal, Advocate for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.349 dated 30.03.2019 under Sections 406/420/506 IPC, registered at Police Station Karnal Sadar, District Karnal. He apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 21.05.2019 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel appearing on behalf of the petitioner Dharminder @ Ashu contends that there is no other case against the petitioner whereas his brother Jitender (co-accused) is involved in as many as 21 cases. It is pointed out that the actual allurements/inducement was on the part of Jitender.

This fact is not disputed by the learned State counsel that coaccused Jitender is involved in 21

cases, who is in custody in this case as well.

Adjourned to 15.10.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Naresh Kumar does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Naresh Kumar further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 21.05.2019 is made absolute.

21.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No