

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-24176 of 2020

Date of Decision: 18.11.2020

Raj Singh alias Raj Kumar

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Arjun Sheoran, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in case FIR No.178 dated 07.08.2020 under Sections 406/420/34/506 IPC registered at Police Station Baas, Hansi, District Hisar.

Vide order dated 25.08.2020, while granting interim bail to the petitioner, he was directed to join the investigation.

Learned counsel for the petitioner submits that pursuant to order dated 25.08.2020, the petitioner has joined the investigation and he has been found innocent during investigation.

Learned State counsel refers to short reply submitted by way of affidavit of Bhagat Ram, HPS, D.S.P. Narnaud to submit that the petitioner has joined the investigation and during investigation, the petitioner has stated that he has neither purchased stamp papers nor signed/got attested from the Advocate. Necessary enquiry has also been conducted from Stamp vendor Shankar and Advocate Jagdish, who drafted the affidavit and these witnesses have stated that neither the petitioner purchased the stamp papers from the stamp vendor nor signed the alleged affidavit by appearing personally before the advocate. In this manner, the petitioner was found innocent during investigation.

In view of the aforesaid stand of the State, wherein the petitioner has been found innocent, the present petition is allowed and the interim order dated 25.08.2020 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

November 18, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No