

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

204

CRM-M-24198-2020 (O&M)
Date of Decision: 23.11.2020

MORMAL

....Petitioner

VS

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munfaid Khan, Advocate,
for the petitioner.

Mr. Sukhdeep Singh Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 223 dated 02.08.2020, under Section 3/13(1), 8/13(3) of the Haryana Gauvansh Sanrakshan And Gausamvardhan Act, 2015 registered at Police Station Tauru, District Nuh. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 25.08.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner inter alia submits that false implication can not be ruled out as it is unlikely that the accused could escape from the police when a raid is conducted on the basis of secret information.

Notice of motion for 23.11.2020.

Mr. Munish Sharma, AAG Haryana, accepts notice on behalf of the respondent-State and waives service.

In the meantime, the petitioner is directed to join investigation with the Investigating Officer on 10.09.2020 at 10.00 a.m. and cooperate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his compliance of the conditions enshrined 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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Karnail Singh, 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 25.08.2020 is made absolute.

23.11.2020
monika*

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No