

CRM-M-24818-2020

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

210

CRM-M-24818-2020

Date of Decision:-23.11.2020

RINKU @ KULDEEP SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Ajaivir Singh, Advocate for the petitioner.

Mr. Sukhdeep Singh Parmar, DAG Haryana.

Mr. Gurdeepinder Singh Dhillon, Advocate for the complainant

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.89 dated 15.06.2020, under Sections 148, 149, 323, 324, 506 & 326 (added lateron) IPC, 1860, registered at Police Station Kunjpura, District Karnal. 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 28.08.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Inter alia submits that the FIR was recorded after four days of the incident. The petitioner and other co-accused had submitted a representation dated 11.06.2020 to the police against the complainant side but no FIR was registered. The accused party have also suffered injuries in the incident as is evident from MLRs annexed collectively as Annexure P-2. The petitioner was not even present at the spot as is evident from the fact that no

injury was received by him.

Notice of motion for 23.11.2020.

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

In the meantime, the petitioner is directed to join investigation with the Investigating Officer on 09.09.2020 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 Bahadur 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 28.08.2020 is made absolute.

23.11.2020
monika*

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/No