

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.29756 of 2020

Date of Decision: November 11, 2020

Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manoj Tanwar, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, 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.74 dated 01.06.2020, under Sections 148, 149, 188, 323, 325, 452, 506 IPC, 1860 and Sections 3, 33, 89 SC & ST Act, 1989, (Section 379-B IPC deleted later on), registered at Police Station, Rozka Meo, District Nuh. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 25.09.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that no specific overt act has been attributed to the petitioner except to allege that the petitioner along with Raju, Ranbir, Ram Parsad, Vedpal and Deepak gave fist and kick blows to Ravi. Co-

accused Satpal has been granted anticipatory bail vide order dated 27.8.2020 passed in CRM-M-22765 of 2020.

Notice of motion.

At the asking of Court, Mr. Naveen Singh Panwar, DAG, Haryana accepts notice on behalf of the respondent.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 30.9.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List again on 11.11.2020. ”

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 DSP Gorav Fogat, 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 25.09.2020 is made absolute.

November 11, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No