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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28543-2019

Date of decision-13.02.2020

Vipin @ Lakhan

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Virender Soni, Advocate for the petitioner.

Mr. Praveen Bhadu, DAG, Haryana.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.605 dated 21.11.2018 under Sections 380 and 457 of Indian Penal Code, 1860 registered at Police Station Sector-10, Gurugram, District Gurugram. 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 08.07.2019 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 contends that theft was reported by the complainant and pursuant to the same four accused namely Naresh, Ramesh, Vedpal and

Jagdish were arrested by the police. It is contended that the recovery already stands effected from them, who have been released on bail as well. It is pointed out that the petitioner was arraigned as an accused on disclosure suffered by the co-accused.

Notice of motion for 08.11.2019.

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 ASI Dharmender does not dispute this fact that the petitioner has joined the investigation and he 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 08.07.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

13.02.2020

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