

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.34168 of 2019
Date of Decision: January 10, 2020

Surender Bind

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Chaudhary, Advocate,
for the petitioner.

Ms. Tanu Shree Gupta, 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. 69 dated 14.02.2019, under Sections 406, 420 and 506 IPC, registered at Police Station Palla, District Faridabad. 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 22.08.2019, 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 the dispute between the parties arises from a sale of the property and the petitioner had got the FIR registered against the complainant-Manoj Kumar i.e. FIR No.98 dated 23.02.2015 (Annexure P-3).

According to him, custodial interrogation of the petitioner may not be required.

Notice of motion for 12.12.2019.

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 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, on instructions from ASI Sunil Kumar, does not dispute this fact that the petitioner has joined the investigation. She 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 22.08.2019 is made absolute.

Petition stands disposed off.

January 10, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No