

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34158-2019

Date of Decision: 23.01.2020

Sunil Bhadu and another

.. Petitioners

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikas Bishnoi, Advocate for the petitioners.

Mr. Praveen Bhadu, DAG, Haryana.

Mr. Ram Kumar Saini, Advocate for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.227 dated 05.06.2019 under Sections 420, 406, 506 and 34 IPC, 1860 (Sections 4/5/6 Prize Chits and Money Circulation Scheme (Banning) Act, 1978 added later on), registered at Police Station Azad Nagar, District Hisar, Haryana. They apprehended their arrest at the hands of Police.

Learned counsel for the petitioners 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 petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that on the same subject already an FIR No.277 dated 27.09.2018 stands registered under Sections 420, 120-B, 34 IPC and Sections 4, 5, 6 of Prize and Chit Fund Act at Police Station Adampur District

Hisar founded on application No.7109-PU dated 12.10.2018. The attention of the Court is invited to the contents of the present FIR No.227 dated 05.06.2019 registered at Police Station Azad Nagar, District Hisar, wherein it is mentioned that on said application No.7109-PU, no action was taken by the police. It is pointed out that otherwise also the dispute is of civil nature and the custodial interrogation of the petitioners may not be required.

Notice of motion for 12.12.2019.

In the meanwhile, petitioners shall join the investigation and would come present as and when called for and in the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 Hem Raj does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Hem Raj further states that the petitioners are 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.

23.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No