

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-39225-2019

Date of Decision: 04.02.2020

Kalu Ram

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Neeraj Yadav, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

...

**Manoj Bajaj, J. (Oral)**

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.221 dated 17.06.2018 under Sections 120-B, 186, 279, 332, 336, 353, 420, 467, 468 and 471 IPC, 1860 and Section 61 Punjab Excise Act, 1914, registered at Police Station Model Town, District Rewari. He apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 17.09.2019 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 neither the vehicle from where the alleged recovery was effected belongs to him nor the petitioner was present at the place of occurrence. He further contends that the co-accused has already been extended the concession of pre-arrest bail vide order dated 04.12.2018 passed by this Court in CRM-M-43927-2018 (Annexure P-2).*

*Notice of motion for 04.2.2020.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner 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 who is assisted by HC Jitender does not dispute this fact that the petitioner has joined the investigation and states that 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 17.09.2019 is made absolute.

04.02.2020  
*Jasmine Kaur*

**(MANOJ BAJAJ)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
No