

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.45855 of 2019 (O&M)
Date of Decision:- 07.01.2020**

Sandeep Kumar

...Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Ms. Jasneet Kaur, Advocate for
Mr. Pradeep Sharma, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.176 dated 27.09.2019, registered under Sections 409, 411 120-B of Indian Penal Code, 1860, Section 13 of Prevention of Corruption Act, 1988 and Section 7 of Essential Commodities Act, at Police Station Rampura, District Rewari.

At the time of issuance of notice of motion on 29.10.2019, following order was passed:-

“Learned counsel for the petitioner submits that the case pertains to misappropriation of 150 bags of cement

belonging to Panchayati Raj Department. In fact, these bags were released under the orders of Executive Engineer and the possession was given to Contractor Deepak Kumar, who was carrying on civil work. The bags got diverted by Deepak Kumar for private use. Petitioner has no role or authority in diverting of those bags by Deepak Kumar.

Notice of motion for 25.11.2019. List with CRM-M-45688-2019.

Petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall loose the benefit of interim bail allowed to him.”

The aforesaid order was passed after relying upon interim order passed in CRM-M No.45688 of 2019. In the said case, statement has been made by learned State counsel on instructions from the Investigating Officer that the petitioner of the said case i.e. Parveen Gothwal has joined the investigation and interim order dated 24.10.2019 has been made absolute vide order of even date.

In the present case also, learned State counsel on instructions from SI Rakesh Kumar states that the petitioner Sandeep Kumar has also joined investigation and is no more

required in further investigation of the case.

In view of the statement made by learned State counsel, order dated 29.10.2019 is made absolute, however petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

07.01.2020

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No