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

CRM-M-50265 of 2019

Date of Decision: 27.01.2020

SANJAY TANWAR**.....Petitioner****Vs****STATE OF HARYANA****.....Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sajjan Singh, Advocate for the petitioner.

Mr. Anmol Malik, AAG Haryana.

RAJ MOHAN SINGH, J.(Oral)

Prayer is for grant of anticipatory bail in case bearing FIR No.940 dated 29.11.2018 registered under Sections 120-B, 147, 149, 323, 379-B, 420 and 427 IPC at Police Station Sadar, Bhiwani.

By referring to the allegations, learned counsel for the petitioner states that the alleged connivance of the petitioner would be a debatable issue before the trial Court for which challan has also been presented by the Police on 20.01.2020 after joining the petitioner in the investigation on 18.01.2020.

On 03.12.2019 following order was passed by this Court:-

“Status Report by way of affidavit dated 03.12.2019 of Sh. Ganga Ram Punia, Superintendent of Police, Bhiwani has been filed. The same is taken on record. Copy supplied to the opposite side.

It is contended by learned Counsel for the petitioner that this was all the concocted story and as per the allegations of the prosecution itself, the occurrence had taken place on 30.09.2018, whereas the present FIR was registered on 29.11.2018, thus, there is a delay of about two months.

Learned State counsel seeks time to verify the above factual position.

Adjourned to 27.01.2020 for further consideration.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from SI Pardeep Kumar states that challan has already been submitted to the Court after joining the investigation by the petitioner. Since, challan has already been presented, therefore there is no investigation pending with the Police.

In view of above order dated 03.12.2019 is made absolute.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

27.01.2020
sangeeta

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No