

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

**CRM-M No.51626 of 2019
Date of Decision: 15.01.2020**

Devender

..... Petitioner

Versus

The State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Lalit K. Gupta, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana assisted by
ASI Satyawar.

SUDIP AHLUWALIA J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking anticipatory bail in case FIR No.179 dated 27.03.2019, registered under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Central Faridabad, Haryana.

2. Heard.

3. On 05.12.2019, the following order was passed:-

“Petitioner prays for grant of pre-arrest bail in FIR No.179 dated 27.3.2019 registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Central, Faridabad, Haryana.

Learned counsel for petitioner submits that petitioner is an accused in FIR No.929 dated 5.12.2018 registered under Section 380 IPC. He was in custody when his counsel applied for bail which was allowed and pursuant thereto Aditya furnished surety on the basis of

alleged fake documents. He further draws attention of the Court to order dated 19.3.2019 passed by the Court and contend that the moment the petitioner came to know of the fake surety, he furnished fresh surety. He further submits that the petitioner has also changed his counsel.

Notice of motion.

On the asking of Court, Mr. Manish Bansal, DAG, Haryana who is present in Court accepts notice on behalf of the State of Haryana and prays for time to seek instructions.

Let a copy of the petition be supplied to the learned counsel for the State during the course of the day.

Adjourned to 15.1.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Commissioner of Police, Faridabad is requested to look into the entire matter and give suggestions as to how this evil practice which has taken roots in all these years can be removed.”

4. In compliance of the earlier order dated 05.12.2019, affidavit of K. K. Rao, IPS, Commissioner of Police, Faridabad, filed today in the Court; Be kept on the record.
5. Learned State counsel, on instructions from ASI Satyawar, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

6. In view of the above, without expressing any opinion on the merits of the case, the petition stands allowed and the interim bail granted to the petitioner by this Court vide order dated 05.12.2019, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Investigating Officer, concerned.

(SUDIP AHLUWALIA)
JUDGE

January 15, 2020

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Whether speaking/reasoned : Yes

Whether reportable : No