

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-54139 of 2019

Date of Decision: 17.01.2020

Ashish Nasa

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr.J.P.Jangu, Advocate for the petitioner.

Ms.Tanushree Gutpa, DAG, Haryana.

Mr.Shiv Kumar, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.412 dated 17.07.2019 under Sections 174-A of IPC, registered at Police Station Faridabad Central District Faridabad. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.12.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The petitioner is seeking anticipatory bail in FIR No. 412 dated 17.07.2019, under Section 174-A of the Indian Penal Code, 1860, registered at Police Station Faridabad Central, District Faridabad.

Learned counsel for the petitioner contends that the petitioner was an accused in a complaint under Section 138 of the Negotiable Instruments Act, 1881. He also contends that the matter

has been compromised with the complainant. He undertakes that the petitioner shall henceforth appear before the Court on each and every date of hearing and would not absent himself except with the prior permission of the Court.

Issue notice to the respondent returnable on 17.01.2020.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation. In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged 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.

At this stage, Mr.Shiv Kumar, Advocate appears on behalf of the complainant by filing Memo of Appearance in Court today. The same is taken in record.

Learned State counsel who is assisted by HC Ram Singh does not dispute this fact that the petitioner has joined the investigation. She on instructions from HC Ram Singh further submits that the petitioner 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 18.12.2019 is made absolute.

17.01.2020
Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No