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

**CRM-M-2125-2021
Date of decision-04.08.2021**

JARNAIL SINGH**...Petitioner**

Vs.

STATE OF HARYANA**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. B.S. Jatana, Advocate
for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

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.0487 dated 23.12.2020 under Sections 307, 332, 353, 186 & 279 Indian Penal Code, 1860 & Section 61 Punjab Excise Act, 1914 (Haryana Amendment Bill 2020), registered at Police Station Kaithal City District Kaithal. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 15.02.2021, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.487 dated 23.12.2020 under Sections 307, 332, 353, 186, 279 IPC and Section 61 of the Punjab Excise Act,

1914 (Haryana Amendment Bill 2020) registered at Police Station Kaithal City, District Kaithal.

Counsel for the petitioner herein would contend that the petitioner herein has been falsely implicated in the said FIR as no offence under Section 307, 332 and 353 IPC is made out against him, as no police official has been injured in the alleged incident. No videography was done by the police while effecting the alleged recovery much less no independent witness was joined at the time of making said recovery. Recovery has already been effected and no further recovery is to be made, therefore, custodial interrogation of the petitioner is not required. The petitioner is ready and willing to join the investigation and therefore, prays for concession of interim bail.

Mr. Gurbir Singh Dhillon, AAG, Haryana opposes grant of bail to the petitioner by contending that huge quantity of 70 boxes of liquor was recovered from the vehicle driven by the petitioner herein.

I have heard counsel for the parties.

The petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds of Rs.2 lakhs to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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. In case, the petitioner is found indulging in any such activity, the respondent-State would be at liberty to move an appropriate application for cancellation of interim bail granted to the petitioner.

List for further consideration on 04.08.2021."

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 SI Kashmir Singh does not dispute this fact that the petitioner has joined the investigation and

he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 15.02.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

04.08.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No