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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2466 of 2020
Date of Decision: 12.08.2021

MOHD AKHTAR HUSSAINPetitioner
Vs
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Mohammad Arshad, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.187 dated 11.04.2016 registered under Sections 8/13/17/20 of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, at Police Station Sarai Khawaja, Faridabad.

On 21.01.2020 following order was passed:-

“Learned counsel for the petitioner contends that the FIR was registered on 11.04.2016. No arrest was effected prior to the issuance of present warrants against the petitioner. Owner of the truck has been granted anticipatory bail. Petitioner has been implicated on the basis of disclosure statement of Salim, who has been granted regular bail by the Court of Sessions on

17.06.2016.

Notice of motion for 26.03.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 25.01.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 21.01.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer. Petitioner has been implicated on the basis of disclosure statement of Salim, who is on regular bail since 17.06.2016.

Learned State counsel on instructions from ASI Dharminder admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 21.01.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

12.08.2021

Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No