

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

CRM-M-2095-2020

Date of Decision: 21.09.2021

SHER SINGH @SHERU AND ANOTHER

..... petitioners

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Choudhary, Advocate,
for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.514 dated 24.12.2019 under Sections 420, 406 and 120-B IPC registered at Police Station Fatehabad, District Fatehabad. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 20.01.2020, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the allegations contained in the FIR are contrary to the stand adopted by the complainant in the execution petition filed by the Wakf Board, Ambala Cantt.

Notice of motion for 28.04.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 Ram Phal does not dispute this fact that the petitioners have joined the investigation and they are 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 20.01.2020 is made absolute.

21.09.2021

Ali

(MANOJ BAJAJ)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No