

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

206

CRM-M-5152-2021

Decided on : 02.09.2021

Avneet Mor

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

(Through Video Conferencing)

PRESENT: Mr. Aditya Sanghi, Advocate
for the petitioner.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 261 dated 25.12.2020 under Sections 147, 149, 457, 427, 448, 506, 511 and 120-B IPC, 1860 registered at Police Station Narwana City, District Jind.

On 04.02.2021, when the matter came up for hearing, the Coordinate Bench of this Court was pleased to pass the following order:

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Record reveals that the parties are in civil litigation as well.

Notice of motion for 13.05.2021.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.PC.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, he has joined the investigation. It is further submitted that in fact the father of the petitioner has filed a civil suit against the complainant and others and the learned Civil Judge, Junior Divn., Narwana had directed the maintenance of status quo on the suit property. It is, thus, submitted that the dispute in question is in fact a civil dispute and is sought to be given a criminal color by lodging the present FIR.

Mr. Parveen Bhadu, AAG, Haryana appears on behalf of respondent-State and submitted that the petitioner has joined the investigation on 01.05.2021 in pursuance of the order dated 04.02.2021.

Keeping in view the above said facts and circumstances, more so the fact that the petitioner has joined the investigation and also that the present dispute has civil tapping, the interim order dated 04.02.2021 is ordered to be made absolute.

Accordingly, the present petition is allowed.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

(VIKAS BAHL)
JUDGE

02.09.2021

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No