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

CRM-M-5533-2021  
Date of decision : 29.11.2021

Joni @ Parvesh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Arun Sharma, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

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**VIKAS BAHL, J. (ORAL)**

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.300 dated 07.12.2020 registered under Sections 379, 411 of the Indian Penal Code, 1860 and Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) at Police Station Sadar, Bahadurgarh, District Jhajjar.

On 05.02.2021, a 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.*

*Learned counsel for the petitioner submits that bare perusal of the FIR as well as the order dated 15.01.2021 passed by learned Additional Sessions Judge, Jhajjar depicts that there is no allegation against the petitioner.*

*Notice of motion for 25.03.2021.*

*Till next date of hearing, arrest of the petitioner shall remain stayed.”*

On 14.09.2021, this Court had passed the following order:-

*“Learned State counsel has pointed that the petitioner has not jointed the investigation.*

*Learned counsel for the petitioner has submitted that in fact in the present case although the arrest of the petitioner was stayed but he was not directed to join the investigation.*

*The petitioner is directed to join the investigation as and when called by the Investigating Officer.*

*Adjourned to 29.11.2021.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.”*

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 14.09.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from HC Satpal, has submitted that the petitioner has joined the investigation on 12.11.2021 and is not required for further custodial interrogation.

Keeping in view the abovesaid facts and circumstances, moreso the facts which have been noticed in the abovesaid two orders and also the fact that the petitioner has joined the investigation and is not required for

further custodial interrogation, the present petition is allowed and the interim order dated 14.09.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

**29.11.2021**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**