

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5955-2020 (O&M)
Date of Decision: 06.12.2021

Anil Dutt

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Himmat Singh Deol, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.155 dated 28.10.2019, registered under Sections 307 and 325 IPC (Sections 323, 506, 148, 149 and 147 IPC added later on) at Police Station Jatusana, District Rewari. 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 11.02.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that in the alleged occurrence, the petitioner and his family members suffered injuries, whereupon at the instance of the petitioner, a case FIR No.154 dated 28.10.2019 (Annexure P-1) was registered against the complainant and other accused persons. He submits that in the cross version recorded through FIR No.155 dated 28.10.2019 (Annexure P-2), the petitioner and his family members have been indicted as accused. It is pointed out that the assailants had entered the house of the petitioner and caused injuries to them. It is further contended that

originally FIR No.155 was registered for the offences punishable under Sections 323, 506, 148 and 149 IPC, but later on after two months, the offences punishable under Sections 307 and 325 IPC were added.

Notice of motion for 01.07.2020.

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

Learned counsel for the petitioner further states 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 Narender does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.02.2020 is made absolute.

06.12.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No