

CRM-M No.9680 of 2021
Date of Decision: 22.04.2021

Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.S. Saroha, 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 anticipatory bail in case bearing FIR No.34 dated 06.02.2021 registered under Sections 148, 149, 395, 427, 452 and 506 IPC wherein Sections 395, 148 and 149 IPC were dropped and Sections 384 and 120 IPC were added later on at Police Station Ateli, Tehsil Narnaul, District Mohindergarh.

Notice of motion was issued on 02.03.2021 and following order was passed:-

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

Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of disclosure statement of co-accused. Petitioner is involved under the charge of conspiracy under Section

120-B IPC. As per prosecution, phone and vehicle are to be recovered from the petitioner.

Learned counsel for the petitioner submits that the petitioner is ready to join the investigation effectively to the satisfaction of the Investigating Officer.

Notice of motion for 21.04.2021.

Without prejudice to the right of the petitioner, he is directed to appear before the SHO/Investigating Officer to join investigation on 06.03.2021 and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. The present arrangement is only for one day without prejudice to the rights of the prosecution at the time of final arguments in the present case. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Perusal of the aforesaid order would show that one time protection was given to the petitioner so as to join the investigation effectively. Recovery of phone and vehicle was to be effected from the petitioner.

Learned State counsel on instructions from ASI Shakuntla Devi submits that the petitioner has facilitated the recoveries and has joined the investigation to the entire satisfaction of the Investigating Officer and he is not required for any further investigation in the case.

In view of the aforesaid statement of learned State counsel, order dated 02.03.2021 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.

22.04.2021
sandeep

(RAJ MOHAN SINGH)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No