

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.7237 of 2020

Date of Decision: June 28, 2021

Ankit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashok Kaushik, Advocate,
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.505 dated 02.09.2019, under Sections 279, 337, 338 IPC 1860, Sections 304-A, 420, 473 IPC and Sections 39/192, 66/192-A, 146/196 Motor Vehicle Act, 1988 (added later on), registered at Police Station, Palla, District Faridabad. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.02.2020, 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 the victim was standing behind the truck when the driver reversed the vehicle, who got injured and later died in the hospital. According to him, the petitioner is not connected with the said

vehicle. He contends that all the offences are bailable except the offences punishable under Sections 420 and 473 IPC. He submits that the petitioner is ready to join the investigation and his custodial interrogation may not be necessary in the given facts.

Notice of motion for 07.07.2020.

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 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 contends 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 ASI Lokesh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is 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 18.02.2020 is made absolute.

June 28, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No