

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10412-2021 (O&M)

Date of Decision:- 9.11.2021

Dangi Ram

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashit Malik, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Balinder.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 489, dated 2.9.2020, Police Station Shahabad, District Kurukshetra, under Section 346 IPC (Section 365 IPC has been added and Section 346 IPC deleted later on).
2. On the last date of hearing i.e. 27.8.2021 while granting interim bail the following order was passed:

“Reply filed on behalf of the State is taken on record.

Notice of motion was issued on 05.03.2021. The alleged incident took place on 22.08.2020 and a missing report was lodged under Section 346 IPC on 02.09.2020. The alleged abductee was produced by his brother before the police on 24.11.2020 and the offence punishable under Section 365 IPC was added thereafter. After deleting the original offence under Section 346 IPC, the statement of the abductee was also recorded under Section 164 Cr.P.C., according to which he was taken to Meerut and on the way he escaped from their custody at Shamli when they were taking their meal and the abductee went to Aasam of his own and stayed there about 1-1/2 months. He never informed his family.

The reply filed on behalf of the State is silent about the date on which the abductee reached home and was ultimately produced before the police on 24.11.2020.

In view of the facts and circumstances of the case, it would be just and appropriate to direct the petitioner to appear before the SHO/Investigating Officer to join investigation on 02.09.2021 at 11.00 a.m. and in the event of their arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case. The case shall be decided on the merits on the adjourned date.

Adjourned to 09.11.2021.”

3. The learned State counsel, upon instructions from ASI Balinder, has informed that pursuant to interim directions issued by this Court, the

petitioner has since joined investigation and that his custodial interrogation is not required. It has further been informed that the petitioner stands involved in three other cases for offences punishable under Sections 323 and 324 IPC.

4. In view of the aforestated position wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 27.8.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

9.11.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No