

Jaibir

...Petitioner

versus

State of Haryana

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : None for the petitioner.
Mr. Naveen Kumar Sheoran, DAG, Haryana.**B.S. Walia, J. (VC)**

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.30 dated 29.02.2020, registered under Sections 420, 467, 468, 471, 120-B of IPC, at Police Station Sadar Panipat, District Panipat.

3. On 20.03.2020, the following order was passed:-

“Draws attention of the Court to ascertain serious allegations against the Police which have been narrated in Para Nos.3, 4 and 5 of the petition and submits that vehicle No.HR-69C-4633 was the vehicle actually seized and he has no connection with vehicle No.HR-67C-0808, on which the RC was allegedly shown to the Police. Submits further that in any case if a wrong number plate at all was found on the vehicle, only the Driver would be liable and not the petitioner, who was admittedly not present at the relevant time and there is nothing to indicate his personal involvement in the matter.

Notice of motion for 05.08.2020.

Meanwhile, in the event of arrest of the petitioner by the Arresting/Investigating Officer, he shall be released on interim bail subject to the following conditions:-

1. That he shall make himself available for interrogation by a Police Officer as and when required;
2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;
3. That he shall not leave India without prior permission of the Court.”

4. Today, although learned counsel for the petitioner is not present, yet learned State counsel on instructions from SI Pawan, fairly concedes that pursuant to the order of this Court dated 20.03.2020, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required and further that co-accused has been granted regular bail by this Court vide order dated 13.05.2020, in CRM-M-12226-2020.

5. In view of the statement of learned State counsel, order dated 20.03.2020, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

16.09.2021

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Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No