

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

CRM-M No.21242 of 2021
Date of Decision: 15.11.2021

Yogesh Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Arshdeep Singh Kler, Advocate,
for the petitioner.

Mr. Bhupinder Singh, DAG, 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.274 dated 22.09.2020, under Sections 326/379-B/394/395/397/506 IPC, registered at Police Station Kalayat, District Kaithal. 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 27.05.2021, 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 contends that the alleged occurrence took place in September, 2020 and only one person (Pammi) was named in the FIR and the petitioner has been involved on the basis of a supplementary statement of the complainant recorded on 02.01.2021. Learned counsel has pointed out that the petitioner has been falsely implicated in this case and as he is not involved in any other case of similar nature, therefore, his custodial interrogation at this stage may not be necessary.

Notice of motion for 02.11.2021.

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 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 SI Suresh, 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 27.05.2021 is made absolute.

15.11.2021
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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No