

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

206-1

CRM-M-22409-2021

Date of Decision:21.09.2021

VINAY @ AVIN @ BINNI

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

On 07.06.2021, a Co-ordinate Bench of this Court passed the following order:-

“The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Vinay @ Avin @ Binni, stated to be aged 25 years, has filed the present petition inter alia with a prayer for grant of anticipatory bail in case FIR No.325 dated 27.12.2020, registered under Sections 392 of IPC, 1860 (Section 120-B of IPC, 1860 added subsequently) at Police Station City Ratia, District Fatehbad.

Learned counsel for the petitioner by making reference to the pleadings in the petition submits that the petitioner has not been named in the FIR. He submits that it was only during investigation that allegedly one co-accused-Mandeep on arrest, had disclosed that he along with Hanuman, Siya Ram, Surinder, Chukku and Vinay the present petitioner had made conspiracy to commit the crime. He submits that the petitioner has a good prima facie case on merits.

Notice of motion.

On the asking of the Court, Mr. Anant Kataria, DAG, Haryana accepts notice on behalf of the respondent-State, through video conferencing. He, on instructions of ASI Pradeep Kumar, submits that there is no other case against the petitioner.

Learned counsel for the petitioner submits that the petitioner is a young boy of 25 years of age and he is ready to join the investigation. He then submits that because of COVID situation also, retention of the petitioner behind the bars would be dangerous to his life.

Without commenting on the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to grant pre-arrest bail to the petitioner. He is directed to join the investigation and appear before the Investigating Officer.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Adjourned to 21.09.2021.”

Learned State counsel on instructions from ASI Richpal, states that the petitioner has joined the investigation, he is no longer required for custodial interrogation and he is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 07.06.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

21.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No