

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

206-2

CRM-M-23067-2021

Date of Decision:21.09.2021

SIYA RAM

...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 15.06.2021, a Co-ordinate Bench of this Court passed the following order:-

“Petitioner-Siya Ram, stated to be aged 22 years, has filed the present petition inter alia with a prayer for grant of anticipatory bail to the petitioner in case FIR No.325 dated 27.12.2020, registered under Sections 392 IPC (Section 120-B IPC added subsequently) at Police Station City Ratia, District Fatehabad.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and he was only named in the supplementary statement recorded on 27.12.2020. Counsel then makes specific reference to para 4 of the petition to submit that in fact the allegations in the FIR do not inspire the confidence and it is in fact on account of facts mentioned in para 4 of the petition that the present FIR has been lodged. Learned counsel also refers to the order dated 07.06.2021 passed by this Court in CRM-M-22409-2021, wherein, co-accused/Vinay @ Avin @ Binni has been granted the concession of anticipatory bail.

Notice of motion.

On asking of the Court, Mr. Karan Garg, AAG, Haryana, accepts notice on behalf of the State.

On instructions from ASI Pardeep Kumar, learned State counsel submits that there is no other case pending against the petitioner. He further submits that there are total six accused, out of them three have been granted regular bail and one has

been granted anticipatory bail. It is also submitted that challan in this case is yet to be presented. Learned State counsel is not disputing the factual position, however, opposes the bail on merits.

At this stage, learned counsel for the petitioner submits that because of COVID-19 situation, retention of the petitioner behind bars would be dangerous to his life.

Without commenting upon merits of the case and in view of the peculiar facts and circumstances of the present case and also keeping in view of the present COVID situation, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer to join investigation.

List on 21.09.2021.

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

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 15.06.2021 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