

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19423-2020

Date of decision: - 03.09.2021

Manouwar

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Bhag Singh, Advocate,
for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner is seeking anticipatory bail in FIR No.34 dated 03.03.2019, registered under Sections 21(4)(1) of Mines and Minerals Act, 1957 and Section 379 IPC, at Police Station Partap Nagar (earlier known as P.S. Khizrabad), District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court on 01.03.2021. Order dated 01.03.2021 is as under:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner on parity while *inter-alia* arguing that the petitioner has been falsely implicated in the

present case and the co-accused has already been allowed bail by this Court in CRM-M-16321-2020 vide order dated 08.07.2020 and he is ready and willing to join the investigation. It is further argued that the recovery has already been effected, therefore, his custodial interrogation would not be required.

Adjourned to 03.09.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from S.I. Lajja Ram, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is not required for further investigation, at this stage.

In view of the above, the order dated 01.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 03, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No