

**209+101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-37835-2021 in/and
CRM-M-24568-2021
Date of Decision:10.11.2021**

Dhirender MalikPetitioner
Vs.
State of Haryana and anotherRespondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Diwan S. Adlakha, Advocate,
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. Sandeep Gahlawat, Advocate,
for applicant/respondent no.2.

AMOL RATTAN SINGH, J. (Oral)
CRM-37835-2021

Vide this application, respondent no.2 seeks to place on record a
reply to the petition.

Learned counsel for the petitioner being present he obviously
stands served of notice in the application, which is consequently allowed
and the reply is ordered to be taken on record.

CRM-M-24568-2021

By this petition, the petitioner seeks the concession of
'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.66,
dated 04.02.2021, having been registered at Police Station City Karnal, District
Karnal, alleging therein the commission of offences punishable under the
provisions of Sections 420 and 406 of the IPC.

Learned State counsel submits that, as per his instructions from
the investigating officer, ASI Jaipal, the petitioners' custodial interrogation is

not required in this case.

It is also to be noticed that a reply has been filed by the DSP, Karnal, dated 28.07.2021, in which the details of the investigation have been given and eventually the prayer made therein is that the submissions made in the affidavit may be considered.

That being so, in view of the statement made by the investigating officer to learned State counsel, without making any comment on the actual merits of the case, this petition has actually been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 10 days notice before arrest, duly shown to be served upon him.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

November 10, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO