

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.25219 of 2021
Date of Decision: 15.11.2021

Mahavir Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Radhe Shyam Sharma, 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.93 dated 01.04.2021, under Section 174-A of Indian Penal Code, 1860, registered at Police Station Sadar Narnaul, District Mahendergarh. 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 05.07.2021, 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 address of the petitioner was not correctly mentioned in the complaint under Section 138 N.I. Act, therefore, he could not appear, as he was not properly served and later on, the present FIR has been registered under Section 174-A IPC.

Notice of motion for 15.11.2021.

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 ASI Ram Bhagat, 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 05.07.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

15.11.2021
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No