

209-3

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through video conferencing)

CRM-M No.26420 of 2021

Date of Decision: 12.10.2021

NAND LAL BENIWAL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Mamli, Advocate for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.0161 dated 22.10.2020 registered under Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020) (Sections 420, 120-B IPC added later on) at Police Station Jakhal, District Fatehabad.

On 12.07.2021, following order was passed by this Court:-

The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of disclosure statement of co-accused Rajesh. In FIR No.160 dated 22.10.2020, petitioner has been granted interim bail in CRM-M No.22699 of 2021.

Notice of motion for 12.10.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 17.07.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.

To be heard along with CRM-M No.22699 of 2021.”

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation on 08.09.2021 to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Ved Pal admits the aforesaid fact and submits that the petitioner is no more required for further investigation of the case.

In view statement made by learned State counsel, the interim order dated 12.07.2021 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

October 12, 2021

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No