

Parveen Kumar

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Animesh Sharma , Advocate for the petitioner.
Mr. Gurbir Dhillon, AAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.130 dated 01.06.2021, registered under Sections 406,420 and 506 IPC at Police Station Sadhaura District Yamuna Nagar.
3. On 23.09.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned State counsel on instructions from ASI Jagdeep Singh confirms that FIR has been registered against the petitioner after a delay of 9 years and that apart from the statement of the complainant, there is no other material to connect the petitioner with the commission of the offence at this stage.

In view of the position noted above, orders dated 14.07.2021 and 16.07.2021 are modified. The petitioner is directed to join investigation and fully cooperate in the same. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail/surety bonds to the

satisfaction of the Arresting/ Investigating Officer. The petitioner shall also abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.

It is, however, made clear that pursuant to petitioner joining investigation, if any, incriminating material comes to the notice of the investigating officer, the State would be at liberty to move an appropriate application for seeking custody of the petitioner in case the same is required.

Adjourned to 05.10.2021.

A copy of this order be placed on the file of the connected case.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from SI Rajinder Kumar confirms that pursuant to the order of this Court dated 23.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 23.09.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

05.10.2021.

‘Rajesh’

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No