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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28430-2021 (O&M)
Date of Decision: 26.11.2021

Shiv Ram

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Davinder Kumar, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.480 dated 01.05.2019 under Sections 120-B, 419, 420, 467, 468 and 471 IPC, registered at Police Station Jagadhari City, District Yamunanagar. The petitioner apprehends his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 04.08.2021 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 has argued that the FIR pertains to the alleged execution of sale deed dated 14.01.2016 in favour of purchaser Akshay Kumar by way of impersonation and the petitioner allegedly identified his co-accused Anu as Kanwaljeet Kaur. He submits that the petitioner is Numberdar of village Garhi Banjara, Udhamgarh, Tehsil Jagadhri, District Yamunanagar and the said lady was under burqa and has shown her Aadhar Card, whereupon, he identified her as Kanwaljeet Kaur. It is pointed out that the said co-accused Anu has already released on regular bail.

According to the learned counsel, the custodial

interrogation of the petitioner may not be necessary as he was not the beneficiary of the alleged transaction and was misled by other co-accused.

Adjourned to 17.11.2021.

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 states 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 Vedpal, does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 04.08.2021 is made absolute.

26.11.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No