

223

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.29497 of 2021(O&M)

Date of Decision: 14.09.2021

Mandeep Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Deepak Kundu, Advocate
for the petitioner.

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

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail in case bearing FIR No.0097 dated 14.03.2020 registered under Sections 420, 120-B IPC (Section 511 IPC added later on) at Police Station Narnaund, Police District Hansi, District Hissar.

On 28.07.2021, 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 is a Lab Attendant in a school at Thurana and was known to Sombir (10+2 student). Students of village Thurana were brought for taking examination. Two mobile phones were recovered by the Police and were sent to Gurugram for DITIC

test. As per DITIC test report one mobile was found to be of Sombir and the second mobile No.8930208686 was found to be locked. This mobile was found to be of Kavita. The aforesaid mobile phones were given by the flying squad to the Police. The Cyber Cell Hansi on checking after unlocking the same found no proof of leakage of paper. It appears that one more mobile No.8398840911 was also recovered by flying squad and the same was given to the Police. In this mobile there was some incriminating information in respect of leakage of English paper.

Learned counsel for the petitioner submits that the petitioner is not the owner of aforesaid mobile and it would remain debatable as to whether the said mobile was in fact recovered from the petitioner as the Police has not prepared any recovery memo.

Notice of motion for 14.09.2021.

At this stage, Mr. Rajat Gautam, DAG, Haryana accepts notice on behalf of the State of Haryana.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 02.08.2021 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 in the merits of the case. The case shall be decided on the merits on the adjourned date.

To be heard along with CRM-M No.24140 of 2021.

State may file status report of the investigation by the adjourned date.”

Learned counsel for the petitioner submits that in compliance of the aforesaid order 28.07.2021, the petitioner has joined the investigation to the entire satisfaction of the

Investigating Officer.

Learned State counsel on instructions from ASI Vinod Kumar submits that the petitioner has joined the investigation on 02.08.2021 and his presence is no more required for further investigation in the case.

In view of above, the interim order dated 28.07.2021 is made absolute. 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.

September 14, 2021	(RAJ MOHAN SINGH)
Prince	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No