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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24918-2020
Date of decision-01.09.2021

SUSHIL VASHIST

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Arpandeeep Narula, Advocate for
Mr. Sunil Panwar, Advocate
for the petitioner.

Kanwar Sanjiv Kumar, AAG, 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.216 dated 04.08.2020 under Sections 306 & 34 Indian Penal Code, 1860, registered at Police Station Sector-9A, Gurugram, District Gurugram (Haryana). The petitioner apprehended 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 28.08.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that complainant-Renu Nasa suspected that her husband Rajeev Nasa was forced to end his life as he was not receiving the payments for the construction work done by him. According to learned counsel, the petitioner is not one of those two persons, who were to pay the amount to the victim and was introduced as a co-accused after five days on the strength of a suicide note, which is seriously doubtful. He submits that in fact, the petitioner's wife and the complainant were partners and the non-payment of the due amount was equally effecting the petitioner as well.

Notice of motion for 23.11.2020.

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 Sant Kumar does not dispute this fact that the petitioner has joined the investigation and he 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 28.08.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

01.09.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No