

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-24905-2020

Date of Decision: 07.012021

SANJAY

.....Petitioner

V/s.

STATE OF HARYANA

.....Respondent

CORAM: **HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

(Through Video Conferencing)

Present: Mr. Rakesh Dhiman, Advocate,
 for the petitioner.

Mr. Arun Beniwal, Deputy Advocate General, Haryana.

Mr. Rajnikant Upadhayay, Advocate,
 for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.79, dated 12.02.2020, under Sections 323, 342, 365, 506 and 34 of the Indian Penal Code, 1860, registered at Police Station Sadar Sonapat, District Sonapat.

Learned counsel for the petitioner states that pursuant to order dated 28.08.2020, passed by this Court, the petitioner has been time and again joining investigation as and when called to do so by the investigating agency. However, learned State counsel, on instructions from SI Krishan, has submitted otherwise. Learned State counsel further submits that the custodial interrogation of the petitioner would be required because the recovery of the vehicle used in the alleged crime is yet to be effected.

On the other hand, learned counsel appearing on behalf of the complainant has very fairly conceded that the petitioner has indeed been joining investigation and in fact on 05.12.2020, the complainant as well as the petitioner both joined the investigation together at Police State Sadar, Sonipat, District Sonipat.

In view of the above, the petition is allowed and interim order dated 28.08.2020, is made absolute subject to the conditions laid down in Section 438(2) Code of Criminal Procedure, 1973.

January 7, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : *Yes /No*

Whether Reportable : *Yes/No*