

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

CRM-M-26147-2020 (O&M)

Date of decision: 11.01.2021

Atinder

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Apoorv Garg, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 227 dated 26.06.2020 registered under Sections 406, 420, 370, 384 IPC and Section 24 of the Immigration Act, 1983 , at Police Station Civil Lines, District Karnal.

On 04.09.2020, this Court passed the following order :-

“Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 227 dated 26.06.2020 registered under Sections 406, 420, 370, 384 IPC and Section 24 of the Immigration Act, 1983 , at Police Station Civil Lines, District Karnal.

Learned counsel for the petitioner states that the petitioner has not been named in the FIR and no role has been attributed to him. The petitioner had never met with the complainant. The petitioner was indicted in the case on the disclosure statement of main accused-Hardeep Singh. He further states that there is another FIR against the main accused, wherein he had suffered a disclosure statement that the name of his partner is Om

Parkash. Moreover, there is no document like partnership deed, joint account or rent deed indicating the partnership of the petitioner and Hardeep Singh, who is running a travelling agency.

Notice of motion.

On the asking of this Court, Mr. Ramesh Kumar Ambavta, AAG Haryana, accepts notice on behalf of the respondent-State and on the instructions of SI Ranbir Singh, does not dispute the fact that the name of the petitioner has cropped in the disclosure statement of Hardeep Singh and that there is no document indicating partnership of the petitioner with Hardeep Singh. He further submits that challan qua him has already been presented.

Adjourned to 11.01.2021.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”.

Learned counsel for the petitioner states that pursuant to the order dated 04.09.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from SI Ranbir Singh, CIA Karnal, states that the petitioner has joined the investigation and he is not required for any further investigation.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 04.09.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

11.01.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No