

206-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32700-2021 (O&M)
Date of Decision: 02.12.2021

Mahesh Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Adarsh Jain, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Vishal Yadav, Advocate for the complainant.

...

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.143 dated 08.03.2021, registered under Sections 420, 406 and 34 IPC at Police Station City Palwal, District Palwal. 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 13.08.2021, 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 contends that the allegations in the FIR pertain to the alleged breach of agreement to sell dated 13.08.2018 and dispute, if any, is purely of civil nature but the FIR has been lodged to falsely implicate the petitioner after a long delay. He further placed reliance upon the order dated 11.06.2021 (Annexure P-4), whereby his co-accused has been extended the interim concession.

Notice of motion for 25.11.2021.

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 SI Surender Singh 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 13.08.2021 is made absolute.

02.12.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No