

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: February 19, 2021

Parmod

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parveen Sharma, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, 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.265 dated 27.08.2020, under Sections 120-B, 406, 409, 420, 467, 468, 471 IPC, 1860 and Sections 7 and 13 Prevention of Corruption Act, 1988, registered at Police Station, Murthal, District Sonapat. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 11.09.2020, 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 for the petitioner contends that it was Panchayat Secretary, namely, Surjit Singh, who was involved in alleged crime of causing loss to the Panchayat and the petitioner has been falsely implicated. It is pointed out that the other similarly situated persons (Sarpanch) have been indicted in different FIRs, who have been extended the concession of

pre-arrest bail through orders dated 06.07.2020, 22.06.2020 and 16.07.2020 (Annexures P-4 to P-6).

Notice of motion for 07.12.2020.

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 SI Shamsheer Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner 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 11.09.2020 is made absolute.

February 19, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No