

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

CRM-M-28052-2020 (O&M)

Date of decision: 18.01.2021

Madan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vineet Chaudhary, Advocate, for the petitioner.

Mr. Apoorv Garg, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.214 dated 13.08.2020, registered at Police Station Dadri Sadar, District Charkhi Dadri, under Sections 379 and 411 IPC .

On 16.09.2020, this Court passed the following order :-

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case FIR No.214 dated 13.08.2020, registered at Police Station Dadri Sadar, District Charkhi Dadri, under Sections 379 and 411 IPC.

Learned counsel for the petitioner contends that main accused, Rakesh Kumar has sworn an affidavit (Annexure P-8), deposing therein that he had named the petitioner, being an accused in the abovenoted FIR, under pressure.

Learned counsel further contends that the buffalo has been recovered and co-accused, Rakesh Kumar and Vikram, have since been granted the benefit of bail. He further contends that the petitioner has been implicated in the above-noted FIR with an ulterior motive to pressurize him for compromising the matter in FIR No.203 dated 03.04.2018, under Sections 323, 34 and 506 IPC and Section 3 of SC & ST Act, 1989, Police Station Charkhi Dadri, which had been got registered by the mother of the

petitioner against the complainant and his family members.

Notice of motion.

On the asking of this Court, Mr. Ramesh Kumar Ambavta, AAG, Haryana, accepts notice on behalf of the respondent-State. A complete set of paper-book be supplied to the learned State counsel during the course of the day, itself, if already not done so.

Learned State counsel, on instructions from Head Constable Sandeep Kumar, submits that besides the above-noted FIR, the petitioner is also involved in another case bearing FIR No.418 dated 23.10.2017, Police Station Sadar Charkhi Dadri.

Adjourned to 18.01.2021.

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 16.09.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from HC Sandeep, states that the petitioner has joined the investigation and his custodial interrogation is not required.

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 16.09.2020 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

18.01.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No