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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30172-2019
Date of decision-12.08.2021

SANDEEP

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Vivek Khatri, Advocae
for the complainant.

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.70 dated 18.02.2019 under Sections 294, 386, 506 & 120-B Indian Penal Code, 1860, registered at Police Station Civil Lines, Hisar, District Hisar. 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 18.07.2019, whereby, while issuing notice of motion to respondent-State,, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged text message was sent by Vipul Garg to the complainant where a demand of money already

advanced by the said accused was asked to be returned. It is pointed out that the petitioner has been indicted as an accused on the disclosure statement of co-accused- Vipul Garg and the same may not be admissible. Custodial interrogation of the petitioner may not be necessary.

Notice of motion for 18.11.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the 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 Pawan Kumar does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 18.07.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

12.08.2021

Vipin kumar

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No