

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-43093 of 2020
Date of decision:09.09.2021

Sanjay

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.239 dated 31.07.2020 registered under Sections 148, 149, 323, 325, 341, 342, 186, 353, 364, 427 of Indian Penal Code, 1860 at Police Station Badshahpur, District Gurugram.

On 21.12.2020, this Court passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 pandemic.

Counsel for the petitioner has argued that the petitioner has not been named in the FIR and his name cropped up in the disclosure statement of co-accused Pardeep, which has been

recorded in police custody and is not admissible in evidence. He has placed reliance upon the orders dated 08.10.2020, 26.11.2020 and 14.12.2020, Annexure P-2 to P-4, respectively whereby six co-accused have been granted the concession of regular bail by this Court. Still further, he submits that the petitioner was granted the concession of anticipatory bail by the Sessions Court, vide order dated 10.12.2020 (Annexure P-5) which was vacated on 15.12.2020 (Annexure P-1) as it was mentioned in the status report that the petitioner is not cooperating with the investigating agency. Counsel has further instructions to submit that the petitioner is ready to join the proceedings and he will extend the full cooperation to the investigating agency.

Notice of motion.

On asking of the Court, Mr. Rajiv Sidhu, Deputy Advocate General, Haryana accepts notice on behalf of the respondent-State. Copy of the petition has been served upon him.

List on 12.02.2021.

Meanwhile, the 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 Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Harender Kumar submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. He has further instructions to submit that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 21.12.2020 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.

September 09, 2021
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No