

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-38575-2019 (O&M)

Date of Decision:- 12.8.2021

Jaspal

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Diwan S. Adlakha, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Balbir Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.50, dated 22.3.2019, Police Station Bilaspur, District Yamuna Nagar, under Section 174-A IPC.
2. At the time of issuance of notice of motion on 18.12.2019 the following order was passed:

“It is contended by the counsel for the petitioner that
the petitioner had already appeared in the main case;

wherein the petitioner was declared as proclaimed person. He has been released on regular bail by the trial court in that case. The petitioner was granted regular bail by the trial court on 31.01.2019. Despite that, the FIR has been got registered under Section 174A of the IPC on 23.03.2019. Hence, it is submitted that once the petitioner had already appeared before; and had been granted bail by the trial court, the registration of the FIR was not justified.

Notice of motion for 29.04.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Balbir Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and that he is not required for any custodial interrogation.
4. Having regard to the facts and circumstances of the case and the fact that the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 18.12.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate

with the Investigating Officer and shall also abide by the conditions
as provided under Section 438 (2) Cr.P.C.

12.8.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No