

104+201

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-33089-2021 and
CRM-M-44440-2019
Date of Decision : 12.10.2021

Mahender Yadav

...Petitioner

Versus

State of Haryana & another

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Sandeep Sharma, Advocate for the petitioner.
Mr. Gurbir Dhillon, AAG, Haryana.
Mr. Sandeep Yadav, Advocate for the complainant.

B.S. Walia, J. (Oral)

CRM No.33089 of 2021

Allowed as prayed for.

Compromise Deed (Annexure P/5) and Aadhar Card
(Annexure P/6) are taken on record subject to all just exceptions.

CRM-M-44440-2019

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.313 dated 08.08.2019 registered under Sections 406, 420, 467, 468, 471, 409, 506 and 120-B IPC at Police Station KherkiDaula, District Gurugram.

2. On 08.11.2019, the following order was passed:-

“CRM-34646-2019

This is application for placing on record order passed by Judicial Magistrate 1st Class, Gurugram (Annexure P-3) and action taken report by SHO (Annexure P-4).

The same are taken on record subject to all just exceptions.

Application stands disposed of accordingly.

CRM-32152-2019

Application is allowed subject to all just exceptions.

CRM-M-44440-2019

Learned counsel for the petitioner submits that in police inquiry(Annexure P-4), the matter, on the basis of which instant FIR has beenregistered, was found to be of civil nature.

Notice of motion for 26.02.2020.

Petitioner is directed to surrender before the police and joininvestigation within two weeks. In the event of his arrest being required, heshall be released on interim bail till the next date, subject to his furnishingbonds to the satisfaction of Arresting Officer. However, he shall abide bythe terms and conditions as envisaged under Section 438(2)(i) to (iv)Cr.P.C. failing which he shall loose the benefit of interim bail allowed tohim.”

3. Today, learned counsel for the petitioner contends while learned State counsel on instructions from ASI Bajinder Singh as well as counsel for the complainant confirm that pursuant to the order of this Court dated 08.11.2019, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bailand that his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 08.11.2019 passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C.

However, nothing stated hereinabove shall be construed to be an

expression of opinion on the merits of the case.

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[3]

5. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

12.10.2021
'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>