

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-48035-2019

DATE OF DECISION: 17.11.2021

RAM KISHAN

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Bhupinder Ghai, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Ravi Kashyap, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.474 dated 26.06.2019 registered under Sections 148, 149, 323, 325, 379-B, 452 and 506 of the Indian Penal Code, 1860 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 at Police Station Mujesar, District Faridabad.

A coordinate Bench of this court, on 26.11.2019, had passed the following order:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.474 dated 26.06.2019 registered under Sections 148, 149, 323, 325, 379-B, 452 and 506 of the Indian Penal Code, 1860 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 at Police Station Mujesar, District Faridabad.

Reply by way of affidavit of Sh. Radhey Shyam, HPS, Assistant Commissioner of Police, Mujesar

District Faridabad on behalf of respondent -State filed today in the Court, which is taken on record. Copy supplied to the counsel for the petitioner.

On request, adjourned to 30.01.2020.

In view of the observations made in **Union of India Versus State of Maharashtra and others: 2019 AIR (SC) 4917** and the facts and circumstances of the case, the petitioner is directed to join the investigation within 10 days from the date of passing of this order and in the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall forfeit the benefit of interim bail allowed to him.”

Learned State counsel, upon instructions from SI Som Nath, states that the petitioner has joined investigation.

In view of the above, especially when the petitioner having joined investigation, the order dated 26.11.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

17.11.2021

SwarnjitS

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No