

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-52906-2019

Date of decision : 15.12.2021

Sandeep @ Dr.Sandeep

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sahil Khunger, Advocate, for the petitioner.
 Mr.Rahul Mohan, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.31 dated 30.08.2019 registered under Sections 148, 149, 186, 332, 353, 506 IPC and Section 3 of Prevention of Damage to Public Property, 1984 at Police Station Nigdhu, District Karnal.

On 12.12.2019 this Court had passed the following order: -

“Prayer in this petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.31 dated 30.08.2019 registered under Sections 148, 149, 186, 332, 353, 506 of the Indian Penal Code, 1860 and Section 3 of the Prevention of Damage to Public Property Act, 1984 at Police Station Nigdhu, District Karnal.

Learned Counsel for the petitioner has been falsely implicated in the case. The present FIR is a counter blast of the complaint made by the petitioner against the SHO, Police Station Nigdhu, District Karnal. The petitioner is ready to join the investigation. No recovery is to be effected from the petitioner. Custodial interrogation of the petitioner is not necessary. Therefore, the petitioner may be ordered to be released on interim bail.

Notice of motion.

On the asking of the Court, Mr. Ramesh Kumar Ambavta, AAG, Haryana accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the Learned State Counsel, who seeks time to complete his instructions.

Adjourned to 12.02.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. 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 by him 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 not be entitled to the benefit of protection of interim bail allowed to him.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined investigation; has cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above and the statement made by learned State counsel that the petitioner's custodial interrogation is not required, the order of this Court dated 12.12.2019, granting ad interim anticipatory bail to the petitioner is made absolute.

15.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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