

CASE HEARD THROUGH VIDEO CONFERENCING

202-7

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 54857 of 2018 (O&M)

Decided on: 18.08.2021

Ajay Kumar

....Petitioner

Versus

Central Bureau of Investigation

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Ravinder Hooda, Advocate
for the petitioner.

Mr. Sumeet Goel, Sr. Advocate
with Mr. A.K. Ranolia, Advocate
for the respondent – CBI.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.118 dated 27.02.2016, registered at Police Station Urban Estate, Rohtak, District Rohtak, which was later handed over to CBI and fresh FIR No.RCCHG512016S0014 dated 06.10.2016 registered under Sections 120-B, 148, 149, 186, 188, 307, 353, 395, 427, 436, 452 IPC and 25/54/59 of the Arms Act and 3 and 4 of the Prevention of Damage to Public Property Act, 1984 at Police Station CBI, SCB, Chandigarh.

The operative part of the order dated 13.12.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....Notice of motion.

On asking of the Court, Mr. Sumeet Goel, Advocate, who is present in the Court, accepts notice on behalf of respondent-CBI.

Adjourned to 19.12.2018.

To be heard along with CRM-M No.42120 of 2018.

Interim order in the same terms as in CRM-M

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No.42120 of 2018.

Learned counsel for the petitioner is directed to supply a copy of the petition to learned counsel for the respondent-CBI during course of the day....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 13.12.2018, the petitioner has already surrendered before the trial Court and he has not misused the concession of interim bail.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact.

Considering the fact that the present petition is pending since 2018 and a period of more than 03 years has elapsed and the petitioner has not misused the concession of interim bail, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.12.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

18.08.2021
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No