

205 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-55572-2019

Date of Decision: 15.09.2021

SURENDER

..... petitioner

Versus

STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present :- Mr. Lekhraj Sharma, Advocate
for the petitioner.

Mr. Sukhdeep Singh Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.172 dated 26.05.2018, under Sections 406 and 506 IPC, registered at Police Station Matlauda District Panipat. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 26.12.2019, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that primarily the allegations in the FIR have been levelled against co-accused Manoj and the petitioner has not been assigned any role in the alleged transactions.

Notice of motion for 07.05.2020.

Meanwhile, the petitioner shall join the

investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Raj Kumar does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 26.12.2019 is made absolute.

15.09.2021

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(MANOJ BAJAJ)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No