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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No. 468 of 2022
Date of Decision: 31.08.2022

Pardeep Tyagi

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Anshul Mangla, Advocate,
for the petitioner.

Mr. Minderjeet Yadav, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail in his second attempt under Section 438 Cr.P.C. in case bearing FIR No.91 dated 14.06.2021 registered under Sections 406, 420 and 506 IPC at Police Station Sadar Jagadhri.

First anticipatory bail i.e. CRM-M No.26168 of 2021 was got dismissed as withdrawn on 29.09.2021. The aforesaid withdrawal was on account of inability of the petitioner to deposit an amount of Rs.2 lacs and to appear before the Investigating Officer to join the investigation.

On 18.01.2022, following order was passed:-

“The case has been taken up for hearing

through video conferencing.

*Learned counsel for the petitioner contends that CRM-M No.26168 of 2021 was got dismissed as withdrawn on 29.09.2021 as the petitioner could not arrange an amount of Rs.2 lacs, which was required to be deposited in compliance of order dated 09.07.2021 for availing interim anticipatory bail. The second anticipatory bail is maintainable in view of ratio laid down in **Rani Dudeja vs State of Haryana, 2017 CrI. L.R. (SC) 335, Sanjay vs State of Haryana, 2020(3) RCR (Criminal) 310, Varinder Singh @ Jhirmal vs State of Punjab, 2020(2) RCR (Criminal) 782 and Aneesh vs State of Kerala, 2014(3) RCR (Criminal) 454 (DB).** Learned counsel further submits that now the petitioner is in a situation to arrange amount of Rs.2 lacs in one go, so as to avail concession of interim bail and shall deposit the same in the Court of Illaqa Magistrate forthwith.*

Notice of motion for 16.02.2022.

Subject to deposit of an amount of Rs.2 lacs with Illaqa Magistrate, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 02.02.2022 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has already deposited an amount of Rs.2 lacs with the Court of Judicial Magistrate Ist Class, Jagadhri and has joined the investigation to the satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Kanwal Singh admits the aforesaid position.

In view of above, order dated 18.01.2022 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

31.08.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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