

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2615-2020
Date of Decision: 23.11.2022

AMIT KUMAR ... PETITIONER
V/S
STATE OF HARYANA & ANOTHER ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Durgesh Aggarwal, Advocate for the petitioner.

Mr. Karan Garg, AAG Haryana.

Mr. Anas Ahmed, Advocate for
Mr. R.N.Lohan, Advocate for respondent No.2.

* * *

VIVEK PURI, J. (ORAL)

On 15.07.2022, following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No.540 dated 12.10.2019 under Sections 323, 34, 406, 498A, 506 IPC, registered at Police Station Sadar, District Hisar.

The case has been put up as it was earlier directed to be heard along with CRM-M-54788-2019 titled as Patasho and others Vs. State of Haryana. However, the said case has been disposed of but the present case could not be listed. It has been stated that other relatives of the petitioner namely Patasho (mother), Pawan and Sunil (brothers) of the petitioner have been found innocent. The petitioner is serving in Indian Army.

In terms of the order dated 21.01.2020, the parties were directed to appear before the Mediation and Conciliation Center of this Court. As per the report, some proceedings took place before the Mediator and on 12.03.2020, a request was made for extension of time. Thereafter, the case was not listed and even the proceedings before the Mediator could not take place on account of Covid-19 pandemic.

The parties are again directed to appear before Mediation and Conciliation Center of this Court on 23.08.2022.

The report of the Mediator be awaited for 23.11.2022.

Learned State counsel contends that in the instant case, the arrest of the petitioner has been stayed and he is yet to join the investigation

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 contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions from ASI Sandeep Kumar, has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.07.2022 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

23.11.2022

Janki

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