

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

(Sr. No. 204)

CRM-M No.3852 of 2021

Date of decision : 15.02.2022

Kirpal Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : None for the petitioner.

Mr. Sumit Jain, Addl. A. G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.327 dated 29.12.2020 registered under Section 420 IPC and Sections 3, 4, 5, 6, 23, 25 and 29 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 at Police Station City Ratia, district Fatehabad.

On 28.01.2021, this Court had passed the following order : -

“Case taken up through video conferencing.

Counsel for the petitioner states that the petitioner is not named in the FIR and has not played any role in the entire episode. His name has cropped up in the disclosure statement of co-accused. He further states that the petitioner is ready and willing to join the investigation.

Notice of motion.

At this stage, Mr. Tanuj Sharma, Assistant Advocate General, Haryana, has accepted notice on behalf of the State. He may file written reply by the next date of hearing, which is fixed as 19.3.2021.

In the meanwhile, the petitioner is directed to join the investigation by contacting the Investigating Officer within 7 days from today and render all sort of cooperation. The petitioner is also directed to surrender his passport, before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. If in the meanwhile, he is arrested, he be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has on several occasions joined the investigation.

In view of the above statement made by learned State counsel, the petitioner's *bona fides* are clear and for that reason as also because primary allegation against the petitioner is on the basis of a disclosure statement made by a co-accused in police custody, this Court is of the opinion that the petitioner's custodial interrogation is not necessary. Resultantly, the interim order of this Court dated 28.01.2021 granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

15.02.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No