

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

205-A

CRM-M-4201 of 2022

Date of Decision: February 09, 2022

Avinash Kumar

.....Petitioner(s)

Vs.

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Piyush Chhabra, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana

Mr. Saleem Ahmed, Advocate for the complainant.

(Through Video Conferencing)

ANOOP CHITKARA J. (ORAL)

Vide order dated 02.02.2022, this Court had granted interim anticipatory bail to the petitioner.

2. Learned counsel for the petitioner submits that in compliance of the order dated 02.02.2022, the petitioner has joined the investigation. He further submits that the mobile phone which the petitioner was using has also been handed over to the Investigator.

3. This fact has not been disputed by the learned State counsel on instructions received from Inspector Maya. However, he submits that although they have received the mobile phone from the petitioner but they want to verify that whether that mobile phone is same mobile that the petitioner was using at the concerned time or other one.

4. Learned counsel for the complainant has also opposed the bail on the ground that possibility of substituting the mobile phone or erasing the data thereof cannot be ruled out.

5. Be that as it may, this Court is granting one more opportunity to the petitioner to handover the same mobile phone which he was using at the concerned time, if not handed over till date. If later on it will find that the petitioner had changed the mobile then it shall be open for the learned counsel for the State as well as for the complainant to file cancellation of bail granted to the petitioner.

6. Given above, the present petition is allowed. The order dated 02.02.2022 is hereby made absolute.

(ANOOP CHITKARA)
JUDGE

February 09, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No