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

**CRM-M-6024-2021 (O&M)
Date of Decision: 25.05.2022**

Vinod Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Aditya Sanghi, Advocate,
for the petitioner.

Mr. Naveen S. Panwar, DAG, Haryana.

Mr. Navneet Jindal, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.378 dated 02.11.2020, under Sections 323, 379, 427, 447 & 506 of the IPC, registered at Police Station Bawani Khera, District Bhiwani.

It has been submitted by learned counsel for the petitioner that in pursuance of the order passed by this Court on 10.02.2021 whereby the petitioner was granted interim bail by this Court, the petitioner has since joined the investigation and he has fully cooperated with the investigation process. He further submitted that during the pendency of the present petition, the complainant has moved an application under Section 340 of the Cr.P.C. and he has also filed a reply regarding the same and such

application was devoid of any merit.

However, Mr. Naveen S. Panwar, learned Deputy Advocate General, Haryana, has stated on instructions from S.I. Mahender Singh, that in pursuance of the order passed by this Court on 10.02.2021, the petitioner has joined investigation and he is fully cooperating with the investigation process and he is not required for custodial interrogation.

Mr. Navneet Jindal, Advocate has appeared on behalf of the complainant and has stated that the Police was conniving with the accused and therefore, he has opposed to grant anticipatory bail to the petitioner. He further submitted that the provisions of Section 379 of the IPC was deleted by the Police.

I have heard the learned counsel for the parties.

In the present case, this Court on 10.02.2021 had granted interim bail to the petitioner and today the learned Deputy Advocate General, Haryana on instructions has stated that the petitioner has joined investigation and he is fully cooperating with the investigation process and he is not required for custodial interrogation and therefore, the present petition is allowed and the order dated 10.02.2021 is hereby made absolute.

However, so far as application filed by the complainant under Section 340 of the Cr.P.C. is concerned, this Court has heard the learned counsel for the parties on the application. In the application, the complainant has stated that the petitioner has concealed material facts from this Court including the fact that instead of stating eviction petition, the petitioner has stated that a civil suit was pending and that too with the younger brother of the petitioner.

A perusal of the application and grounds mentioned in the reply filed by the petitioner would show that there is no ground to proceed with the application under Section 340 of the Cr.P.C. against the petitioner and is therefore, dismissed.

25.05.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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