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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7126-2021 (O&M)
Date of decision: 10.01.2022

SONU

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Nitin Meel, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.0628 dated 31.08.2020 under Sections 302, 323, 147, 148, 149 IPC and Section 3 of the SC and ST Act, 1989 (Section 325 IPC added later on), registered at Police Station Hisar Sadar, District Hisar, Haryana. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 31.08.2021, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“ Notice of motion was issued on 15.02.2021 on the premise that the petitioner was nominated on the basis of disclosure statement of Sandeep. Co-accused Dalbir was found to be innocent.

Learned State counsel submits that the complainant party has resiled from its stand.

Be that as it may, petitioner is directed to join the

investigation on 04.09.2021 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.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.

List on 30.09.2021.”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by Sub-Inspector Partap Singh does not dispute the fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 31.08.2021 is made absolute.

10.01.2022
Chetan Thakur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No