

**204-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-8509-2020

Date of decision-11.01.2022

Ishwar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ajaivir Singh, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.17 dated 20.01.2020 under Sections 120-B, 193, 200 and 420 Indian Penal Code, 1860 registered at Police Station Uchana, District Jind. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 27.02.2020, whereby while issuing notice of motion, the interim protection was extended to the petitioner. The said order reads as under:-

“Briefly, FIR bearing No. 17 dated 20.01.2020 under Sections 120-B, 193, 200, 420 IPC registered at Police Station Uchana, District Jind on the allegations that the petitioner being first informant in case bearing FIR No. 18 dated 17.01.2018 under Sections 279/304A IPC registered at Police Station Uchana, District Jind had falsely projected the accidental death of Shamsher who infact was a patient of cancer.

It has been stated by the learned counsel for the petitioner that the trial of the case with regard to the offence under Section 304 A IPC is pending. However, the petition under Section 166 of the Motor Vehicles Act, 1988 for compensation was withdrawn due to technical defect.

Notice of motion for 28.04.2020.

Meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends 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 ASI Balwan Singh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner 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 27.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

11.01.2022

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No