

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

203

CRM-M-10482 of 2020 (O&M)

Date of Decision:07.02.2022

Amit Leela

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. D.K. Sihag, Advocate, for
Mr. C.R. Dahiya, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 of the Cr.P.C., upon FIR no.188, dated 23.12.2017, having been registered at Police Station Kalka, District Panchkula, alleging therein the commission of offences punishable under Sections 406 and 420 of the IPC.

The petitioner having been ordered to be admitted to interim bail upon joining investigation (if he was sought to be arrested), vide an order dated 12.03.2020, thereafter on 04.10.2021 the following order had been passed by this court (co-ordinate Bench):-

“Heard through video conferencing.

CRM-32265-2021

Prayer in the application is for extension of time by one week to comply with orders dated 12.03.2020 and 06.07.2021 passed by this Court.

Counsel for the petitioner submits that in compliance of order dated 06.07.2021, petitioner called the Investigating Officer for joining the investigation but he was told that the petitioner has been declared as a Proclaimed Offender. By making a reference to the order dated 06.02.2020, Annexure A-4, counsel submits that the petitioner had already joined the proceedings before the trial court and the Investigating Officer was wrong in informing him that the petitioner is a Proclaimed Offender. However, he submits that the petitioner is ready and willing to join the investigation and co-operate with the Investigating Agency.

Notice of the application.

On asking of the Court, Mr. Gurmeet Singh, AAG, Haryana, accepts notice on behalf of the respondent-State.

Let the petitioner re-join the investigation on 11.10.2021 at Police Station Kalka, District Panchkula at 11.00 am.

If the Investigating Officer does not make him join the investigation then the petitioner can approach the Illaqa Magistrate, Panchkula immediately, who shall call the Investigating Officer and direct him to join the petitioner in investigation in terms of order passed by this Court.

List with main case.

Main Case

List on 27.01.2022. Interim order to continue ”

Today learned State counsel submits, on instructions from SI Mukesh of Police Station Kalka, that in fact a cancellation report has been prepared in

November 2021, with the allegations against the petitioner having been found to be unfounded.

Consequently, without making any comment on the actual merits of the case, the petition is allowed, with the order dated 24.01.2022 made absolute on the same terms and conditions.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

February 07, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No