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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15513 of 2021
Date of Decision: 04.02.2022

Parveen Kumar .....Petitioner

Vs.

State of Haryana ....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Ms.Ishita Jain, Advocate for
Mr. Namit Khurana, Advocate,
for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conference.

On 02.12.2021, the following order had been passed by this court:-

> "By this petition, the petitioner seeks the concession of 'pre-arrest bail', upon FIR No. 136 having been registered at Police Station Sadar District Yamuna Nagar, on 23.03.2021, alleging therein the commission of offences punishable under the provisions of Sections 7/10/55 of the Essential Commodities Act, 1955, Sections 420/120-B of the IPC and Sections 5/25/28 of the Fertilizer (Control) Order, 1985.
>
> The reply filed on behalf of the respondent-State, dated 22.10.2021, is ordered to be taken on record.
>
> The petitioner is directed to join investigation within one week.In case he is sought to be arrested, he would be released on bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate.

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He shall also comply with the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation, in terms of the order of this court.

Adjourned to 04.02.2022."

Today, learned State counsel submits, on instructions from ASI Rakesh Kumar, that the petitioner having joined investigation his custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, even in terms of the judgment of the Supreme Court in **M.C. Abraham v. State of Maharashtra**, (2003) 2 SCC 649, the petition is allowed, with the order dated 02.12.2021 made absolute, on the same terms and conditions, but with the State always at liberty to seek cancellation of bail in case his custodial interrogation is required at any stage subsequently.

February 04, 2022 **(AMOL RATTAN SINGH)**
dharamvir// **JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO

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