

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-14898-2022 (O&M)
Decided on : 19.05.2022

Jagbir

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. Neeraj Saini, Advocate
for the complainant.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 198 dated 09.12.2017 under Sections 420, 467, 468, 471, 120-B and 201 of the Indian Penal Code, 1860 registered at Police Station Bajghera, Gurugram, District Gurugram.

On 08.04.2022, this Court was pleased to pass the following order:

“Learned counsel for the petitioner inter alia contends that the petitioner has not been named in the FIR and has not received any money from the complainant and the petitioner had earlier joined the investigation and was found to be innocent by the Inspector/SHO of the

concerned Police Station and in the said regard, zimni No.15 was also recorded by the concerned Officer which fact is effected in the challan dated 08.12.2018 (Annexure P-2). It is further submitted that perusal of the FIR would show that it was Amit @ Kalu who had met the complainant and had given assurances for registration/permit of vehicle and then received the amount. It is also contended that the petitioner is not involved in any other case.

Notice of motion.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of State of Haryana and seeks time to get instructions.

Adjourned to 19.05.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has joined the investigation and is not involved in any other case.

Learned State counsel, on instructions from PSI Pingaksh submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 08.04.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 08.04.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

All the pending miscellaneous applications, if any, stand disposed of, in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

19.05.2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No