

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19196-2021

Date of decision : 16.05.2022

Pehlad Singh

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.K.Tripathi, Advocate for the petitioner.

Mr.Anmol Malik, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.43 dated 19.02.2021 under Sections 420, 467, 468 and 471 Indian Penal Code, 1860 registered at Police Station Furrukh, District Gurugram, who apprehends his arrest at the hands of Police.

On 04.05.2022, this Court had passed the following order:-

“Mr. S.K. Tripathi, Advocate puts in appearance on behalf of the petitioner and filed his power of attorney, which is taken on record.

Learned counsel has drawn the attention to the order dated 01.04.2022 and submitted that pursuant to cancellation of bail and direction by this Court, petitioner Pehlad Singh is present in Court. According to him, the concession of bail was withdrawn without even hearing the counsel for the petitioner and that too at a stage when admittedly, the petitioner had already joined the investigation on number of occasions. He further submits that the presence of the petitioner shows his commitment in associating with the investigation, but denies the stand of State that the petitioner while joining the investigation has not co-operated. He has argued that merely because the petitioner has refused to record his confession, it cannot be said that he is not co-operating with the investigation.

Learned State counsel assisted by SI Ramavtar states that the

officer is unable to identify the petitioner as an accused-Pehlad Singh, as he has taken over the investigation of case recently, however, it is not disputed that the petitioner had previously joined the investigation.

At this stage, learned counsel for the petitioner states that Pehlad Singh will again join the investigation as and when required by the new Investigating Officer.

Adjourned to 16.05.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel states that indeed 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 04.05.2022 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.05.2022

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