

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-20579-2022

Date of decision : 16.08.2022

Rajbir Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Yashveer Kharb, Advocate
for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a second petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.210 dated 20.04.2022 registered under Sections 120-B, 34, 379 IPC at Police Station Israna, District Panipat.

On 13.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the petitioner is a poor person and was working as a driver and he was asked by co-accused Gaurav to take the crop harvested by him and he was not aware about any dispute between the parties in question. It is further submitted that the petitioner is not involved in any other case and the present dispute also has civil trappings.

Notice of motion for 18.07.2022.

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.

13.05.2022”

Thereafter on 18.07.2022, this Court was pleased to pass the following order:-

“Learned State counsel, on instructions from HC Yoginder Singh, has pointed out that the petitioner has not joined the investigation.

The petitioner is again directed to join investigation on 25.07.2022 at 11:00 AM.

Adjourned to 16.08.2022.

Interim order to continue.

July 18, 2022.”

Learned counsel for the petitioner has submitted that in pursuance of the said orders, the petitioner has joined the investigation.

Learned State counsel, on instructions of HC Joginder Singh, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 13.05.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 13.05.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

August 16, 2022

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No