

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

204 (1)

CRM-M-24565-2021
Date of Decision :03.03.2022

Panjab Singh

..Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Chandan Singh, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.0091 dated 20.03.2020 registered under Section 61 of the Punjab Excise Act, 1914 and Sections 420, 467, 468, 471 and 120-B of the IPC at Police Station Mundkati, District Palwal.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court on 05.07.2021. Order dated 05.07.2021 is as under:-

“Submits *inter alia* that the Petitioner was not intimated about the order dated 5th February, 2021, Annexure P-7, which was passed by the Court jointly in respect of himself and co-accused Santosh Kumar, and that the Petitioner's phone number was not available to Ld. Counsel while the Petitioner was working in Surat.

Submits further that after receiving notice under Section 41(2) of the Cr.P.C., the Petitioner has come to know about the previous order and is willing to submit himself for investigation immediately.

Notice of motion.

Mr. Bhupender Singh, Deputy Advocate General, Haryana to accept notice on behalf of the Respondent-State. A copy of the Paper-book be handed over to him.

To come up along with CRM-M No.36919 of 2020, which is already fixed on 25th August, 2021.

In the meantime, the Petitioner shall submit himself for investigation and positively appear before the Investigating Officer at 10:00 AM on 8th July, 2021, in which event he may be released on an interim bail till the next date of hearing, subject to the following conditions:-

1 That he shall make himself available for interrogation by a Police Officer as and when required;

2 That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;

3 That he shall not leave India without prior permission of the Court.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from Inspector Satya Narayan states that in terms of the order passed by a Coordinate Bench of this Court, reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

Learned counsel for the petitioner undertakes before this Court that in case, hereinafter also, the presence of the petitioner is required for the purpose of investigation, the petitioner will appear before the Investigating Agency without fail as and when directed.

In view of the above, the order dated 05.07.2021 passed by a Coordinate Bench of this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is

not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

March 03, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No