

Neutral Citation No.2023:PHHC:110139

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

208/2

**CRM-M No.23736 of 2022
Date of Decision: 23.08.2023**

Ravinder Joon

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aditya Pratap Singh, Advocate,
Mr. Manoj Pundir, Advocate,
Ms. Manu Sangwan, Advocate and
Ms. Alisha Chauhan, Advocate,
for the petitioner.

Mr. Rupinder Singh Jhand, AAG, Haryana.

MANISHA BATRA, J.

The instant petition has been filed by the petitioner under Section 438 of Cr.P.C. for grant of anticipatory bail in case FIR No.0244 dated 28.04.2022 registered under Sections 406, 420 and 120-B of IPC at Police Station Karnal Civil Lines, District Karnal, Haryana.

This Court vide order dated 27.05.2022 had directed the petitioner to join the investigation and he was ordered to be released on interim bail to the satisfaction of Investigating/Arresting Officer subject to his abiding the conditions envisaged under Section 438 (2) of Cr.P.C.

Today, learned counsel for the petitioner has submitted that the petitioner has already joined the investigation in pursuance of order dated 22.05.2023.

Learned State counsel, on the other hand, while opposing the prayer and submission made by learned counsel for the petitioner, has

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submitted that no doubt, the petitioner has joined investigation in compliance of previous order, however, he has not cooperated as the whereabouts of the co-accused who is yet to be arrested, have not been divulged by him. Therefore, he argued that the petitioner does not deserve to be extended benefit of anticipatory bail.

I have heard learned counsel for the parties and have perused the record.

As discussed above, the petitioner has joined the investigation and his custodial interrogation is not required. Merely because of the fact that he has not disclosed the whereabouts of the co-accused Anoop Rana to the Investigating Officer is not by itself a ground for denial of bail to the petitioner.

In view of this fact and without expressing any opinion on the merits of the case, I am of the opinion that the petition deserves to be allowed. Hence, the petition is allowed and the order dated 27.05.2022 and the subsequent orders whereby interim bail had been granted to the petitioner are hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C. Furthermore, in view of the facts of this case, the petitioner shall also abide by the following conditions:

- (i) The petitioner shall not commit an offence similar to the offence of which, he is an accused or for commission of which he is suspected in this case;
- (ii) The petitioner shall furnish his address and mobile number to the Investigating Officer forthwith and shall not change the same till the conclusion of the investigation and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the Investigating Officer, stating the reasons for the same;

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(iii) The petitioner shall deposit his passport, if any, with the Investigating Officer forthwith and in case, he does not have the passport, he shall furnish a specific affidavit in this regard.

It is also made clear that in case of non-adherence of any of the conditions aforesaid, the State shall be at liberty to seek cancellation of bail granted to the petitioner by this order.

23.08.2023
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(MANISHA BATRA)
JUDGE

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