

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-38441 of 2021
Date of decision:25.02.2022

Lakhvir Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gurdarshan S. Sidhu, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Counsel for the petitioner urges that FIR (Annexure P-1) is an outcome of political rivalry in the village, although it has been alleged in the FIR (Annexure P-1) lodged by a neighbour, that the petitioner has been indulging in obscene acts. He submits that the petitioner has joined the investigation pursuant to order passed by this Court.

Upon instructions from L/HC Suman Lata, State counsel has affirmed that the petitioner has joined the investigation and submits that he has co-operated with the investigating agency and is not involved in any other criminal case.

Heard counsel for the parties.

While granting interim bail to the petitioner, this Court passed the following order on 16.09.2021:-

“This is a petition that has been filed under Section 438

Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.318, dated 13.08.2021, registered under Sections 354, 354-A, 451, 506, 509 of IPC at Police Station Rania, District Sirsa.

Counsel for the petitioner would contend that most of the offences are bailable other than Section 354 IPC which has been added only to falsely implicate the petitioner and debar him from contesting the Sarpanch elections. It is argued that there is an affidavit of the sitting member of the panchayat who has affirmed that a false case has been registered against the petitioner due to village party faction and it is her house that is situated in front of the house of the petitioner. It is further submitted that even as per the allegations made, custodial interrogation of the petitioner would not be required.

Notice of motion for 25.02.2022.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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.”

Keeping in view the fact that the petitioner has joined the investigation, is no longer required for the custodial interrogation and has clean antecedents, the present petition is allowed and the order dated 16.09.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

February 25, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>