

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-38685-2021 (O&M)
Date of Decision:- 21.01.2022

ASHISH KUMAR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: *HON'BLE MR. JUSTICE MANOJ BAJAJ*

Present: Mr. J.P.Sharma, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.(Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.149, dated 23.11.2020, registered under Sections 272, 420, 120-B, 468 and 471 of IPC and Section 61 of Excise Act, Police Station Satnali, District Mahendergarh. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 17.9.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel has relied upon the order dated 13.09.2021 (Annexure P-2), whereby co-accused has been granted the concession of anticipatory bail and states that the case of the petitioner is similar to his co-accused.

Notice of motion for 21.01.2022.

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 further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Sanjay Kumar does not dispute this fact that 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 17.9.2021 is made absolute.

21.01.2022
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(MANOJ BAJAJ)
JUDGE

Whether speaking /reasoned Yes

Whether Reportable No