

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

CRM-M-44281-2021

Date of decision : 20.05.2022

Pawan Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Jatinder Pal Sngh, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.313 dated 16.06.2021 under Sections 147, 149, 186, 353, 379-A, 506 and 509 Indian Penal Code, 1860 registered at Police Station Narnaund, District Hisar, who apprehends his arrest at the hands of Police.

On 21.10.2021, this Court had passed the following order:-

“The matter has been taken up through video conferencing in the light of COVID-19 pandemic. The present petition has been filed by the petitioner, namely, Pawan Kumar, for grant of anticipatory bail in the case bearing FIR No.313 dated 16.06.2021, under Sections 147, 149, 186, 353, 379- A, 506 and 509 IPC, registered at Police Station Narnaund, District Hisar. As per the version of the prosecution, on 16.06.2021, while the complainant along with the other officials was present in the house of Sonu son of Vedi @ Suresh Jangra and were busy in investigation of the case, the present petitioner along with various other persons had come and they had abused lady Head Constable, namely, Suman. When the complainant raised protest, then Jai Bhagwan and Pawan Kumar had torned her dress and had taken away the purse containing Rs.9,000/-. Now, it is submitted by learned counsel for the petitioner that fellow accused namely, Basti Kumar and Suresh, have already been granted the benefit of regular bail by

the trial Court vide order dated 02.07.2021, copy whereof is Annexure P-2. Even, fellow accused, Jai Bhagwan, who is father of the petitioner, has been granted benefit of interim anticipatory bail vide order dated 10.08.2021.

Notice of motion.

Ms.Safia Gupta, Assistant Advocate General, Haryana, accepts notice on behalf of respondent-State.

Learned State counsel resists the claim of the petitioner as she submits that recovery of the purse as well as the cash amount, Identity Card and other necessary documents have to be recovered from the petitioner, who had snatched the purse of the complainant. Also, it is brought to the notice of the Court that Jai Bhagwan, father of the petitioner, who has already been granted the benefit of interim anticipatory bail, has not joined the investigation till date.

In these circumstances, learned State Counsel seeks time to furnish status report.

On her request, the matter is adjourned to 02.11.2021.

Status report be filed in the meantime.”

On 16.11.2021, petitioner was granted the concession of pre arrest bail and the following order was passed:-

“Heard.

Adjourned to 08.02.2022.

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 has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Jagdish Chander states that indeed 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 16.11.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

20.05.2022
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No