

CRM-M-48813-2021
Date of decision-17.03.2022

Khursheed

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.646 dated 20.10.2021 under Section 379 of Indian Penal Code, 1860 and Section 21(4) of Mines and Minerals (Regulation of Development) Act, 1957 registered at Police Station Suraj Kund, District Faridabad, who apprehends his arrest at the hands of Police.

On 23.11.2021, this Court had passed the following order:-

“Learned counsel contends that the vehicle bearing No.HR38U4393 owned by the petitioner was impounded by the officials of the Mining Department on 25.08.2021, but the FIR has been lodged after a long delay on 20.10.2021 without even alleging that any accused person escaped from the spot. According to him, the petitioner has been falsely implicated, who is

willing to join the investigation.

Notice of motion for 17.03.2022.

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 Amarjeet Singh 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 23.11.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.03.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No