

205

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51170-2021 (O&M)
Date of Decision:04.02.2022

Amrik Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Bhupender Singh, 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.0282 dated 26.06.2019 under Sections 302 and 34 IPC, Sections 3(2)(v) SC & ST (Prevention of Atrocities) Act, 1989 (Sections 120-B, 201, 406, 420, 467, 468 and 471 IPC added later on), registered at Police Station Safidon, District Jind. The petitioner apprehends 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 07.12.2021 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 contends that as per prosecution victim Kuldeep Singh had obtained various loans for agricultural machines (combine) at the instance of main accused-Hakikat Singh and as per the scheme, after the death of the borrower, the payment of remaining installments were exempted. He further submits that the unnatural death of Kuldeep Singh, indicated homicide and after investigation

involvement of his co-accused Hakikat Singh etc was found in the said offence.

Learned counsel has argued that the petitioner is being implicated on the ground that the agricultural machines in the name of the victim were taken over by the petitioner and were further sold. He submits that the petitioner is an accused for the alleged commission of offence punishable under Section 420 IPC etc. and the final report against the coaccused stands filed on 14.04.2021, therefore, at this stage, his custodial interrogation may not be necessary.

Notice of motion for 04.02.2022.

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 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 Deepak 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 07.12.2021 is made absolute.

04.02.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned Yes No

Whether reportable Yes No