

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-54239 of 2021
Date of Decision:24.02.2022

Sube Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. D.P.S. Bajwa, Advocate,
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 23.12.2021 the following order had been passed by this court:-

“By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.0275, dated 08.12.2021, having been registered at Police Station Garhi, District Jind, alleging therein the commission of an offence punishable under Section 384 of the IPC.

Learned counsel for the petitioner other than relying on the contents of the FIR (to the effect that he had allegedly taken Rs.25,000/- to get a report favourable to the complainant in the FIR in question, in the context of an FIR registered against the said complainant), submits that the petitioner is suffering from cancer with certain medical reports having been annexed along with the petition.

Notice of motion.

Mr. Munish Sharma, AAG Haryana, accepts notice at the asking of the Court. A copy of the paper book be supplied to him

during the course of the day.

Adjourned to 24.02.2022.

In view of the above, without making any comment whatsoever on the merits of the case, the petitioner is directed to join investigation within one week and if, upon him so joining, he is sought to be arrested, he shall be released on interim bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Duty Magistrate, till the next date of hearing.

He shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join the petitioner in investigation, in terms of the order of this Court.”

Learned State counsel today submits, on instructions from ASI Satpal, that the petitioner did join investigation pursuant to the aforesaid order and that though he otherwise co-operated in the investigation, the money that he took is still to be recovered from him.

Looking at the allegation in the FIR, to the effect that he is alleged to have taken money “in the name of a DSP and a Head Constable”, with that matter to be still proved as to whether any such money was actually paid or not, without making any comment on the actual merits of the case, the petition is allowed, with the order dated 23.12.2021 made absolute on the same terms and conditions.

February 24, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No