

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.9499 of 2023
Date of decision: 24th July, 2023

Avtar Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Deepak Mehta, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.278 dated 25.10.2022 for the offences under Sections 406, 420 IPC registered at Police Station Sadar Ambala, District Ambala.

2. On the last date of hearing, i.e. 17.03.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner while drawing the attention of this Court to the FIR in question submits that allegedly the petitioner along with co-accused Vikram after taking the shuttering material on rent from the complainant misappropriated it and refused to return the same. Learned counsel further submits that pursuant to the

registration of FIR (Annexure P-1), parties had amicably settled their dispute as a result of which both the co-accused i.e. Vikram and Balwant Singh, who were in custody, were granted concession of regular bail. Learned counsel submits that the petitioner is ready to join investigation and willing to cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 17.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Gurvinder, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 17.03.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

July 24, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No