

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:145828
CRM-M-13587-2023
Date of Decision: November 16, 2023

Kaptan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rao Ajender Singh, Advocate for the petitioner.
Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

On 1703.2023, following order was passed by this Court:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.32, dated 06.02.2023, under Sections 147, 149, 427, 448, 506 of Indian Penal Code, 1860 (Section 380 of IPC, 1860 added later on), registered at Police Station Kasola, District Rewari.

Learned counsel for the petitioner contends that no injury has been attributed to the petitioner and there is delay of 3 days in lodging the FIR, which has not been explained. He further contends that the complainant party is bent upon to oust the applicant's brother Dharambir from his lawful possession over the property in dispute qua which a civil suit is pending before the trial Court. In fact no incident has ever took place between the parties at any point of time. He further contends that the co-accused of the petitioner namely Dharambir, Kanwar Singh and Vikram have already been granted the concession of interim bail by this Court vide order dated 01.03.2023 passed in CRM-M-9622-2023.

It has further been asserted that the story in the complaint is concocted at the hands of complainant, where no offence under above said Sections is made out.

Notice of motion.

On the asking of Court, Mr. Gagandeep Singh Chhina, AAG, Haryana accepts notice on behalf of respondent-State, who seeks time to get the instructions.

In the meantime, the petitioner is directed to be released on interim bail subject to the satisfaction of Arresting Officer/Investigating Officer, on his joining investigation as and when called for and cooperate in investigation and also shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Adjourned to 04.07.2023.”

Later on, it was informed from time to time by learned State counsel that the petitioner had joined the investigation, but not co-operating in the same. Vide order dated 21.09.2023, this Court directed the Investigating Agency to record the question to be put to the petitioner in writing and further to record the answers given by the petitioner in writing.

Today supplementary status report has been filed.

Learned State counsel submits that the petitioner has completely joined the investigation. The questions and answers are also annexed with the supplementary status report.

Considering all the aforesaid facts and circumstances, the order dated 17.03.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

November 16, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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