

CRM-M-17130-2023

2023:PHHC:086273

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(210-A)

CRM-M-17130-2023

Date of Decision : July 11, 2023

Kuldeep Singh

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. The petitioner is seeking anticipatory bail in FIR No. 868 dated 15.11.2022 registered under Sections 294, 506 of the IPC, 1860 (Sections 420 and 476 IPC added later on) at Police Station City Hansi, District Hansi.

2. The Coordinate Bench of this Court passed the following order on 12.04.2023 :-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.0868, dated 15.11.2022, under Sections 294, 506 of IPC, 1860 (Sections 420 and 476 of IPC added later on), registered at Police Station City, Hansi.

Learned counsel for the petitioner contends that the present FIR is lodged as a counter blast to one FIR No.859 dated 14.11.2022, under Sections 323, 506 and 34 of IPC

against the complainant in the instant FIR, on day prior to the present FIR. He further contends that a concocted story has been put forth by the complainant alleging that one Vedpal person used to put cow dung in front of the house of the complainant due to which neighbours are facing great hardship and also exaggerate the fact that two vehicles of the same number plate are parked and one vehicle make SKODA is having no number plate for the last three years. He has further placed reliance upon the order dated 02.02.2023 (Annexure P-5) passed by this Court in CRM-M-5289- 2023, wherein co-accused persons have been granted the concession of anticipatory bail.

Notice of motion.

On the asking of Court, Mr. Pradeep Prakash Chahar, DAG, Haryana, accepts notice on behalf of respondent-state, who on the basis of pervi report submits that the petitioner's family is having three vehicles bearing the same number plate, which is also fake.

Considering the fact that all the three vehicles have been taken into custody by the police and there is no denial to the fact that the said FIR is counter blast of FIR No.0859 dated 14.11.2022, which was lodged by the petitioner a day prior to the present FIR, apart from the fact that other coaccused persons have been granted the concession of anticipatory bail vide order dated 02.02.2023 (Annexure P-5), 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 03.07.2023. ”

3. Learned State counsel, on instructions from ASI Anil, states that in terms of the order dated 12.04.2023 of the Coordinate Bench of this Court reproduced hereinbefore, the petitioner has joined the investigation

and no further interrogation of the petitioner is required at this stage.

4. In view of the above, the order dated 12.04.2023 granting interim bail to the petitioner is made absolute.

5. However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join and cooperate in the investigation as and when called upon to do so.

6. In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

7. The present petition stands allowed.

July 11, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No