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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM M-23594-2022

Date of Decision: February 01, 2023

Pawan KumarPetitioner
Vs.
State of HaryanaRespondent

CORAM: HON’BLE MR. JUSTICE HARKESH MANUJA

Present:- Mr. Devender Arya, Advocate for the petitioner.
Mr. Sumit Jain, Addl.A.G., Haryana.
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HARKESH MANUJA (ORAL)

By way of present petition, a prayer has been made for grant of anticipatory bail to the petitioner in case FIR No. 247 dated 06.10.2021, under Sections 406, 506 IPC, registered at Police Station Bass, District Hansi.

This Court, while issuing notice of motion on 27.05.2022, passed the following order:-

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.247 dated 06.10.2021 at Police Station Bass, District Hansi, under Sections 406/506 IPC.

The FIR in question was lodged at the instance of Meena, wife of Rajesh, wherein it is alleged that she had purchased a tractor bearing registration No.HR-86A-0954 (New Holland) for the purpose of agricultural work. It is alleged that Pawan (petitioner) resident of Atela, who is known to her, had taken her tractor about 4 months back so as to use the same for his agricultural pursuits. However, said Pawan was not returning back the said tractor and upon being asked to return it, he told her that he has sold the tractor.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that it is highly unlikely that the petitioner, who is a resident of

Atela, which is about 75 Kms. away from the Village Badala, where the complainant is residing, would have been lent the tractor for 4 months and that too without any consideration. It has further been submitted that in any case there is no evidence worth credence to show that the complainant had actually handed over the tractor to the petitioner. Notice of motion for 11.11.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/ Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner states that in pursuance of order dated 27.05.2022 passed by this Court, the petitioner has joined the investigation.

The above factual position is duly acknowledged by learned State Counsel, on instructions from police official, by submitting that the petitioner has joined investigation and his custodial interrogation is no longer required in this case.

In view of above, the petition is allowed. Interim order dated 27.05.2022 is hereby made absolute, subject to all the conditions as envisaged under Section 438(2) Cr.P.C.

February 01, 2023
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No