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

CRM-M-25483-2023 (O&M)

Date of decision : 17.08.2023

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...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Nikhil Vats, Advocate,
and Mr. Vishal Kumar, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, '*the Cr.P.C.*') has been filed for grant of pre-arrest bail to the petitioner in FIR No.663 dated 08.12.2022, under Sections 186, 420 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Shivaji Colony, District Rohtak.

2. Allegations against the petitioner are that he along with other co-accused, got affixed GPS tracker in the vehicle of Regional Transport Officer, for illegally causing loss to the department.

3. The Coordinate Bench, on 18.05.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“It is submitted that considering the nature of the allegations made against the petitioner, his custodial interrogation is not necessary.

Notice of motion for 17.08.2023.

Mr. Deepak Grewal, DAG Haryana accepts notice on behalf of the respondent–State and waives service.

Meanwhile, the petitioner is directed to join investigation with the Investigating Officer on 29.05.2023 at 10.00 a.m. and co-operate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his joining the investigation and compliance of the provisions enshrined under Section 438(2) Cr.P.C.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 18.05.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.

17.08.2023
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(MAHABIR SINGH SINDHU)
JUDGE

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