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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2023:PHHC:101352

CRM-M-32688-2021 (O&M)

Date of Decision: 25.07.2023

Ravinder Kataria

...Petitioner

Vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Saurabh Dalal, Advocate &
Mr. Shajat Kataria, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

Mr. Kshitij Sharma, Advocate
for the respondent/complainant.

N.S.Shekhawat J.

1. The petitioner prays for pre-arrest bail in case FIR No.212 dated 19.07.2021, under Sections 288, 304 (II), 34 of IPC, registered at Police Station Farukh Nagar, District Gurugram (Annexure P-1).

2. While passing the interim order dated 12.08.2021, a Co-ordinate Bench of this Court had noticed the following contentions made by learned counsel for the petitioner:-

“Learned counsel for the petitioner contends that it is alleged that the building owned by the petitioner had collapsed which led to death of three employees of the tenant company. The petitioner is the owner of the building and had obtained NOC

(Annexure P-6) for the construction. The building had been let out to the tenant company, namely, M/s DelEx Cargo India Pvt. Ltd. He also contends that in the lease, it was clearly stipulated that unkeeps, repairs and maintenance of the premises would be carried out by the tenant. The petitioner is 65 years of age.”

3. The matter has been heard at length today.

4. Learned counsel for the petitioner contends that in compliance of the interim order dated 12.08.2021, passed by a Co-ordinate Bench of this Court, the petitioner has joined the investigation and has been co-operating with the investigating agency.

5. On the other hand, learned State counsel has submitted that the petitioner has already been joined the investigation and is no longer required for the purpose of investigation.

6. In view of the statement made by learned State counsel, the interim order dated 12.08.2021 is made absolute. The petitioner shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) of the Cr. PC.

7. All other pending applications, if any, are also disposed off, accordingly.

25.07.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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