

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

202

CRM-M-30638-2022

Date of decision: 02.08.2023

Abhimanyu

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Dr. Deipa Singh, Advocate for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

Mr. Suvir Sidhu, Advocate for the complainant.

AMAN CHAUDHARY, J.

1. On 18.07.2022, this Court had passed the following order:-

“The learned counsel for the petitioner has submitted that it is a case where the allegations against the petitioner are pertaining to giving of threatening calls on phone. She has submitted that it was basically a case of rivalry within the Department and there was no role attributable to the petitioner.

Notice of motion.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana accepts notice on behalf of the State of Haryana and prays for some time to seek instructions.

Mr. Y.K.Saini, Advocate has caused appearance on behalf of the complainant.

The complainant shall also be at liberty to file his affidavit with an advance copy to the learned counsel for the petitioner.

Adjourned to 9.1.2023.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when

called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from ASI Sandeep affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 18.07.2022 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

02.08.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No