

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-32400-2022

Date of Decision: 03.08.2023

Kuldeep Singh

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Parminder Singh, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

Mr. Rajesh Duhan, Advocate for respondent No. 2.

NIDHI GUPTA, J. (ORAL)

Reply dated 01.08.2023, filed by way of affidavit of Sh. Subhash Chander, HPS, Deputy Superintendent of Police, Indri, District Karnal, on behalf of respondent No. 1-State, is taken on record.

The petitioner is seeking anticipatory bail in FIR No. 354 dated 16.06.2021 (Annexure P-1) registered under Sections 498-A, 406, 323 and 506 read with Section 34 IPC at Police Station Indri, District Karnal.

On 28.07.2022, this Court had passed the following order :-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.354 dated 16.06.2021, registered for offences under Sections 498-A, 406, 323, 506 and 34 of the Indian Penal Code, 1860, at Police Station

Indri, District Karnal (Annexure P-1).

By referring to order dated 20.07.2022 (Annexure P-2), counsel for the petitioner submits that a statement has been made by the Investigating Officer that the petitioner is no longer required for custodial interrogation.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, Deputy Advocate General, Haryana accepts notice on behalf of State-respondent No.1. Upon instructions from SI, Subhash, she submits that challan has been presented.

Respondent No.2 be served for the date fixed.

List on 01.11.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

On the day, respondent No.2 causes appearances before this Court, the petitioner will pay Rs.35,000/- as litigation and travelling expenses to her.”

Learned counsel for the petitioner submits that in compliance of the order dated 28.07.2022 passed by this Court, the petitioner has joined the investigation. Further, in compliance of the aforesaid order, learned counsel for the petitioner has handed over Rs.35,000/- in cash in Court today to learned counsel for respondent No. 2 to paid to her towards litigation and travelling expenses.

Learned counsel for respondent No. 2 has received the same and undertakes to give the said amount to respondent No. 2.

Learned State counsel, on instructions states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 28.07.2022 granting

interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

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

The petition stands disposed of.

03.08.2023
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(NIDHI GUPTA)
JUDGE

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