

CRM-M-41799-2022 (O&M)

2023:PHHC:040712

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-41799-2022 (O&M)

Date of decision: 20.03.2023

JASWIDER SINGH @ JASSI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Gurmohan Singh Bedi, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG Haryana.

Mr. Naveen Sharma, Advocate
for the complainant.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.269 dated 11.07.2022, under Sections 120-B, 323, 342, 365, 506 read with 34 of the Indian Penal Code, 1860 registered at Police Station Parao, District Ambala.

On 13.09.2022, this Court had passed the following order:-

“Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case and it was in fact a counter blast to an earlier financial dispute between the petitioner and the complainant and the present story was concocted to the effect that the petitioner alongwith other co-accused tried to kidnap the brother of the complainant namely Rai Singh and got the documents signed forcibly.

Notice of motion.

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

Mr. Rakesh Gupta, Advocate, appeared on behalf of the complainant and has filed a memorandum of appearance.

Adjourned to 20.03.2023.

Meanwhile, the petitioner is directed to appear before

the Arresting/Investigating Officer and join the investigation and thereafter also as and when called upon to do so. In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bond/surety bond to the satisfaction of Arresting/Investigating Officer. The petitioner shall abide by all the conditions as provided under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner submits that in pursuance of order dated 13.09.2022, of this Court, the petitioner has not only joined investigation but has 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.

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

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 13.09.2022 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation 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.

(AMAN CHAUDHARY)
JUDGE

March 20, 2023

M.Kamra

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