

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205-5

CRM-M-44678-2023

Date of decision: 21.11.2023

Amit Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.K. Tripathi, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0060 dated 02.02.2022 under Sections 419/420/467/468/471/120-B IPC and Section 3 of the Haryana Public Examination Act, 2021 registered at Police Station Sector 5, Panchkula, District Panchkula.

2. On 06.09.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel, inter alia, contends that it was a matter of record that the petitioner had taken his written examination and cleared it too hence, there could not have been any occasion to get himself impersonated during the physical test carried out for appointment of Constable, as it would have ruined his career. Learned counsel submits that the petitioner has clean antecedents, which further lends credence to a false case having been planted upon him. It has also been submitted that though custodial interrogation of the petitioner would not be required in the case in hand, however, he is still willing to join

investigation.”

3. Learned counsel for the petitioner submits that in compliance of order dated 06.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 06.09.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

21.11.2023
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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