

S. No.208

2023:PHHC:138321

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51478 of 2023

Date of Decision:30.10.2023

Devender @ Magad

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (Oral)

On 11.10.2023, the following order was passed by this Court:-

“By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.582 dated 10.08.2022 registered under Sections 379-B, 341, 365, 506, 34 IPC at Police Station City Rohtak, District Rohtak, Haryana.

FIR was lodged on the complaint of Smt. Kamlesh, mother of Mainpal. As per the allegations, Lady Constable Daya Rani was in illegal relationship with Ravi. It is alleged that on 31.03.2022, said Lady Constable Daya Rani along with her sister Bhawna and other accomplices kidnapped Ravi on motor-cycle No.HR-12AP-2467.

Learned counsel for the petitioner contends that petitioner is nowhere named in the FIR. In the disclosure statement of co-accused Daya Rani, it was disclosed that she and Bhawna along with Manjeet and his companions snatched the motor-cycle of Ravi and kidnapped him. It is in the disclosure statement of Manjeet, that the name of petitioner surfaced. Learned counsel further contends that co-accused Bhawna has already been granted the benefit of interim anticipatory bail by co-ordinate Bench of this Court vide order dated 17.05.2023 in CRM-M-24951 of 2023. Another co-accused Manjeet has also been allowed the similar benefit by this Court vide order dated 14.06.2023 in CRM-M-30488 of 2023.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 30.10.2023 for filing status report.

To be heard along with CRM-M-24951 of 2023.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. “

Today, it is informed by learned State Counsel, on instructions from SI Budh Singh, that in compliance of the order dated 11.10.2023, petitioner has since joined the investigation and he is no longer required for any investigation.

In view of the afore-said statement, order dated 11.10.2023 whereby interim anticipatory bail was granted to the petitioner in the FIR in question, is hereby made absolute. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and make compliance of the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of.

October 30, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No