

2023:PHHC:164528

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

107

CRM-M-64684-2023

Date of Decision : **December 21, 2023**

EBADAT HUSAIN

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Piyush Setia, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner in case FIR No.191 dated 6.7.2022, under Section 174-A of IPC, registered at Police Station City-I, Abohar, District Fazilka.

2. Learned counsel for the petitioner submits that in a complaint case No.NACT/373/2018, titled as “Sunil Kumar Vs. Ibadat Husain”, the petitioner has been declared as a proclaimed offender, he has already caused appearance in the complaint case (supra) and was also enlarged on regular bail and later was declared as a proclaimed offender, the petitioner is ready and willing to surrender before the IO, as and when required for joining the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Karunesh Kaushal, AAG, Punjab, waive service on behalf of the respondent-State.

5. Considering the fact that the petitioner is ready and willing to join the investigation with the IO concerned, this Court deems it fit and appropriate to enlarge the petitioner on anticipatory bail.

6. In view of the above, the present petition is **allowed** with a direction to the petitioner to join the investigation within 20 days from today. Till then the arrest of the petitioner shall remain stayed. In case, the petitioner joins the investigation within 20 days with the IO, it is directed that he shall be released on interim bail, subject to his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigation 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.

7. In case, the petitioner does not join the investigation or does not co-operate in the investigation, the respondent/state shall be at liberty to file an application for cancellation of his anticipatory bail.

(KULDEEP TIWARI)
JUDGE

December 21, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No