

213 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-14944-2024 (O&M)

Date of Decision: 07.05.2024

Dharambir @ Jassa

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aman Pal, Advocate,
 for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.47 dated 24.02.2024 registered under Sections 386, 452 and 506 read with Section 34 IPC, at Police Station, HSIDC Barhi, District Sonipat.

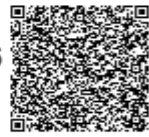
2. Petitioner along with co-accused is alleged to have extorted money from complainant and threatening him of dire consequences.

3. Learned counsel contends that from bare perusal of the FIR, there is no specific allegation levelled against the petitioner. Also contends that petitioner was granted interim bail vide order dated 21.03.2024 and in pursuance thereof, he has joined investigation; thus, his custodial interrogation is not required.

4. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. A Coordinate Bench of this Court vide order dated 21.03.2024, granted interim bail to petitioner and the same reads as under:-



“Contends, inter alia, that from bare perusal of the FIR, there is no allegation levelled against the petitioner. Notice of motion.

On asking of the Court, Mr. Vipul Sherwal, AAG, Haryana accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Posted for 07.05.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

7. In pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required by the Police, at this stage; thus, order dated 21.03.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

07.05.2024

SN/v

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No