

CRM-M-36041-2023
Date of decision: 09.01.2024

...PETITIONER

V/S

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Tewatia, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR J. (ORAL)

Through instant petition, the petitioner is seeking anticipatory bail in case FIR No.168 dated 19.04.2023 registered under Sections 148, 149, 327, 380, 447, 451, 506 and 511 of Indian Penal Code, 1860 at Police Station Gadpuri, District Palwal.

3. On 27.07.2023, following order was passed:

“Learned counsel for the petitioner has submitted that the subject matter of dispute even in the FIR was only a private dispute pertaining to ownership of 400 Sq. Yards. of plot and the petitioner was only opening his own door and has submitted that he is the owner of the plot. He further submitted that petitioner is ready and willing to join the investigation as and when called by the investigating officer.

Notice of motion.

Ms. Harpreet Kaur, AAG, Haryana accepts notice on behalf of the State of Haryana.

Adjourned to 05.12.2023.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the

Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.”

4. Learned State counsel, on instructions from SI Fateh Singh, submits that in compliance of order dated 27.07.2023 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
5. Keeping in view the statement made by learned State Counsel the order dated 27.07.2023, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.
6. The petition is accordingly allowed.
7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.

January 09, 2024
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |