

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-34928 of 2015

.....

Date of decision:18.11.2015

Amit

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Namit Khurana, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.346 dated 10.6.2015 (Annexure-P.1) registered for the offences under Sections 148, 149, 285, 307 and 452 IPC and Section 25 of the Arms Act at Police Station Jagadhri City, District Yamuna Nagar.

Notice of motion has been issued in this case.

Mr. Anmol Malik, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that firstly, the present petitioner is not

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named in the FIR. Neither any injury has been attributed to him nor he was stated to be armed with any weapon. The petitioner was only nominated on the statement of the co-accused.

The petitioner has already joined the investigation. He is neither required for any custodial interrogation nor anything is to be recovered from him. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 2.11.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 18, 2015.

(Inderjit Singh)
Judge

hsp