

CRM-M-37812-2016

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

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Date of Decision: 24.01.2017

Nashim

... Petitioner(s)

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. B.S.Virk, DAG, Haryana,
for the respondent-State.

INDERJIT SINGH, J.

Petitioner-Nashim has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.386, dated 17.12.2015, registered at Police Station Hathin, under Sections 307 and 429 read with Section 34 of Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the petitioner has not been named in

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the FIR and has been stated to be fled away from the spot. The petitioner was declared proclaimed offender, as argued, on 16.11.2016 but he was granted interim bail by tcchis Court before the said date.

Keeping in view the nature and gravity of the offence and the facts that the petitioner has already joined the investigation; he is not required for custodial interrogation and that nothing is to be recovered from him, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 21.10.2016, 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.

24.01.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No