

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

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CRM-M No.10711 of 2018

Date of Decision: May 18th, 2018

Ram Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner very fairly states that the petitioner has no objection with regard to joining the investigation and cooperating with the same as he was neither named in the FIR nor was he aware that his name has been disclosed by one Nasrudin during interrogation that the petitioner was also along with him at the time of commission of the offence. He states that Narudin after trial has been acquitted by the Sub Divisional Judicial Magistrate, Bahadurgarh, on 13.09.2017. His further contention is that even as per the records, the address of the petitioner was wrongly mentioned and he has placed on record the Aadhaar Card as well as affidavit of the petitioner along with Residence Certificate indicating that he was not the resident of the said area. He, however, submits that the petitioner would appear before the Sub Divisional Judicial Magistrate, Bahadurgarh, on 30.05.2018 and move an application for grant of regular bail, which may be considered. He further states that he is even ready and willing to join investigation and cooperate with the same.

Counsel for the State could not oppose the prayer, as has been made by the counsel for the petitioner.

Having considered the submissions made by the counsel for the petitioner which is substantiated from the records, especially keeping in view the fact that the co-accused of the petitioner namely Nasrudin has been acquitted after trial by judgment dated 13.09.2017 (Annexure P-9) passed by the Sub Divisional Judicial Magistrate, Bahadurgarh, in case the petitioner appears before the said Court on **23.05.2018** and moves an application for grant of bail, the same shall be entertained and he be admitted to bail to the satisfaction of the said Court. This would render the impugned order dated 01.05.2013 infructuous.

Petitioner shall join investigation as and when called upon to do so. The investigating agency shall proceed in accordance with law.

Order of bail shall enure till the presentation of report under Section 173 Cr.P.C.

With these observations, the present petition stands disposed of.

May 18th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No