

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8855-2019

Date of Decision: 28.03.2019

Ashok Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Johan Kumar, Advocate for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Ashok Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.903 dated 07.12.2017, registered at Police Station Sadar Palwal, District Palwal, under Sections 148, 149, 323, 285 and 506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 and Sections 325, 307 and 120-B of the Indian Penal Code, 1860 added later on.

Notice of motion was issued.

Learned State counsel has appeared 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 present petitioner has not been named in the FIR. He has been nominated only at the disclosure statement of co-accused.

In pursuance of the interim order dated 27.02.2019, passed by

this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 27.02.2019, 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.

28.03.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No