

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

**CRM-M No. 22311 of 2019
Date of Decision:-30.09.2019**

Mukesh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Ravinder Bangar, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. M.S. Kathuria, Advocate
for the complainant.

MANOJ BAJAJ J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0113 dated 13.03.2019, under Sections 148, 149, 323, 324 and 506 IPC (later on Sections 325 and 326 IPC added), registered at Police Station Shahbad, District Kurukshetra. The petitioner apprehend his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 16.5.2019 whereby while issuing notice of

motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that initially the FIR bearing No.0113 dated 13.3.2019 was registered for the offence punishable under Sections 148, 149, 323, 324,506 IPC and subsequently Sections 325 and 326 IPC were added later on. It is contended that the said offences do not pertain to the injuries allegedly caused by the petitioner.

Notice of motion for 30.9.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Ramdia does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Ramdia further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 16.5.2019 is made absolute.

September 30, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No