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

CRM-M-33518 of 2019

Date of decision: October 17, 2019

Vijay alias Kala

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pankaj Bali, Advocate for
Mr. Virender Mandhan, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.418 dated 28.06.2018, under Sections 148, 149, 323, 324, 325, 427, 452, 307, 506 of the Indian Penal Code, 1860, registered at Police Station Gharaunda, District Karnal, Haryana.

On 04.09.2019, this Court has passed the following order:-

“Mr. G.S. Sandhu, Advocate appears, files vakalatnama on behalf of the complainant and the same is taken on record.

Short reply by way of affidavit of Ramdutt, HPS, Deputy Superintendent of Police, Gharaunda, Karnal, filed by learned State counsel, today in Court, is taken on record. A copy thereof has been supplied to the counsel opposite.

In the said short reply, role of the petitioner has not been explained, but learned counsel for the petitioner has submitted that only injury attributed to the petitioner is

simple in nature.

Learned counsel seeks time to verify the same.

Adjourned to 17.10.2019.

In the meanwhile, petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from ASI Bahadur Singh, has stated that in terms of order dated 04.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 04.09.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 17, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No