

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

CRM-M-37078 of 2019

Date of Decision: 20.09.2019

Naresh Baisla

....Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jagjot, Advocate for
Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.135 dated 08.05.2019, under
Sections 365, 379-B and 506 of the Indian Penal Code registered at
Police Station Kheri Pul, Faridabad.

On 04.09.2019 while issuing notice of motion the
following order was passed by this Court:

“ Contends that the petitioner is only known to co-
accused Nishant Chauhan and his bail application is
pending for 06.09.2019 in which he has been granted the
interim protection by this Court.

Notice of motion for 06.09.2019.

To be heard along with CRM-M-26312 of 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)
Cr.P.C.”

It is contended by learned counsel for the petitioner that in terms of the above order, petitioner has already joined investigation. Further contends that the connected matter bearing CRM-M-26312 of 2019 has already been rendered infructuous as the co-accused namely Nishant Chauhan has died.

Learned State counsel on instructions from ASI Shiv Kumar has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

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

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

September 20, 2019

rashmi

Whether speaking/reasoned

Yes/no

Whether reportable?

Yes/no