

In the High Court of Punjab and Haryana at Chandigarh

219

CRM-M-42183-2019 (O & M)
Date of Decision: October 30, 2019

AMIT @ ASHUK KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.0709 dated 05.10.2018 under Sections 307, 120-B, 34 IPC and Section 25 of the Arms Act registered at Police Station Sadar Bahadurgarh.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that co-accused, namely, Sudhir had opened fire at the complainant but it did not hit him. It is a case of no injury and the petitioner has been arraigned as an accused on the statement of co-accused that the petitioner was also accompanying him.

This Court, by the order dated 01.10.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Parveen Kumar, states that the petitioner has joined investigation and is not required for custodial interrogation.

Learned counsel for the complainant has, however, vehemently opposed the grant of anticipatory bail to the petitioner.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 01.10.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

October 30, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No