

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

**CRM-M No.42922 of 2019 (O&M)
Date of Decision: 04.12.2019**

Sushil Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Parveen Maan, Advocate for
Mr. R.S.Budhwar, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.215 dated 14.05.2019, under Sections 148, 149, 186, 324, 332, 353, 379-B, 506 of the Indian Penal Code, 1860 (Section 379-B, IPC deleted later on), registered at Police Station Indri, District Karnal.

This Court, on the previous date of hearing i.e. 19.10.2019, passed the following order:-

“ *Contends that as a matter of fact, it was co-accused, namely Anuj, who was travelling without ticket and a scuffle had taken place with him, but the petitioner has nothing to do with the matter in controversy. Learned State counsel seeks time to verify the same.*

Adjourned to 04.12.2019.

In the meanwhile, the 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. ”

 Contends that in terms of the above order, petitioner has joined the investigation.

 Learned State Counsel, on instructions from A.S.I. Rajender Kumar, has acknowledged that in terms of order dated 19.10.2019, petitioner has joined the investigation and his custodial interrogation is not required.

 In view of above, interim order dated 19.10.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

 Disposed off accordingly.

December 04, 2019

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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