

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

**CRM-M No.44134 of 2019 (O&M)
Date of Decision: 02.12.2019**

Tushar Kathuria

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None 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 anticipatory bail to the petitioner in case bearing FIR No.16 dated 14.01.2019, under Sections 148, 149, 323, 325 (added later on), 506 of the Indian Penal Code, 1860, registered at Police Station Sector 9-A, Gurugram.

This Court, while issuing notice of motion on 17.10.2019, passed the following order:-

“ Contends that scuffle has taken place between some students and moreover, Section 325 IPC has been added later on.

Notice of motion for 02.12.2019.

In the meanwhile, the petitioner is directed to join the 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. ”

Learned State Counsel, on instructions from ASI Jagmal Singh, has stated that in terms of order dated 17.10.2019, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 17.10.2019 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 02, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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