

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

CRM-M-12568-2020 (O&M)

Date of decision : 05.08.2020

Pardeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

On 20.05.2020, the following order was passed by this Court:-

“Due to outbreak of COVID-19 pandemic, the case is taken up for hearing through video conferencing.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.241 dated 13.02.2020 under Sections 148, 149, 323, 325, 506, 201 and Section 308 IPC added later on, registered at Police Station City Jagadhri, District Yamuna Nagar.

Inter alia contends that the petitioner has been falsely implicated in the instant case. Not only was the FIR in question lodged after an unexplained delay of 05 days of the alleged occurrence but even as per the FIR no injury or role has been attributed to the petitioner who was alleged to be armed with a stick. After 12 days of the alleged occurrence an injury attracting the mischief of Section 325 IPC was

added by the police for which the petitioner and co-accused were arrested and thereafter granted the concession of regular bail by the trial court on 27.02.2020. After one and a half months of the registration of the FIR in hand, the police added another offence under Section 308 IPC which is clearly not made out against the petitioner.

Notice of motion for 05.08.2020.

On the asking of the Court, Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.”

Learned counsel for the State, on instructions from SI Santokh Singh, has submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation, at this stage.

In view thereof, the order dated 20.05.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

05.08.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No