

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18884-2020
Date of Decision 24.8.2020

Islam

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr. Jatinder Nagpal, Advocate,
for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

ARUN PALLI, J. (Oral):

The petitioner prays for an anticipatory bail under Section 438 of the Code of Criminal Procedure, in FIR No. 0165 dated 24.4.2020, under Section 61 of the Punjab Excise Act, 1914; Section 51 of the Disaster Management Act, 2005; Section 25 of the Arms Act, 1959, and Sections 120-B/186/188/269/270/307/332/353 of the Indian Penal Code, registered at Police Station City, Palwal.

Vide order dated July 16, 2020, a Coordinate Bench of this Court had granted ad interim bail to the petitioner:-

“Counsel for the petitioner inter alia contends that Swift Dzire alleged to be driven by the petitioner is owned by one Rahul but he has not been arrested in the case. It is further submitted that four

unidentified persons alleged to be involved in the occurrence have been discharged. In addition, it is argued that petitioner had appeared in his 10+2 examination and he does not know driving nor has been issued driving licence. The injuries allegedly sustained by a police official are simple in nature and possibility of creating false report regarding injuries is not ruled out. The last submission made by counsel is that no recovery is to be effected from the petitioner when otherwise he is ready to join investigation and co-operate throughout.

Notice of motion.

Mr. Apoorv Garg, DAG, Haryana accepts notice on behalf of the respondent.

Adjourned to 24.08.2020.

In the meantime, the petitioner is directed to join investigation within seven days and on his appearance before the arresting/investigating officer, he shall be admitted to bail on his furnishing bail bonds to the satisfaction of the concerned officer subject to the following conditions:-

- (i) He shall make himself available for interrogation by a police officer as and when required;*
- (ii) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- (iii) He shall not leave India without previous permission of the Court.”*

Mr. Shivendra Swaroop, learned Assistant Advocate General, Haryana, on instructions from ASI Hakmudhin, Police Station CIA Staff, Palwal, submits that petitioner has since joined the investigation on

18.7.2020, and his custodial interrogation is not required.

In the wake of the statement made by learned State Counsel and the fact that the petitioner has joined the investigation, the order dated July 16, 2020, granting ad interim bail to the petitioner, is made absolute.

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

The petition stands disposed of, accordingly.

(ARUN PALLI)
JUDGE

24.8.2020
AK Sharma

Whether speaking/reasoned	Yes
Whether reportable	No