

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

**CRM-M-19618-2021
Date of decision: 25.08.2021**

Vinod Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Arjun Attri, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0070 dated 05.04.2021 under Sections 115, 120-B, 506 and 34 of the IPC and Section 25 (Act No.54), 1959 of the Arms Act, registered at Police Station Chhansa, District Faridabad, Haryana.

The operative part of the order dated 21.05.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that at the time of registration of FIR No.182 dated 25.07.1998, petitioner was infact aged about 15 years. Infact there was no error in the pleadings. Learned counsel appearing on behalf of arguing counsel on 17.05.2021 could not explain the correct position. The allegations of hiring of Anees Khan and his friends to murder the complainant are prima facie based on conversation between Aneesh Khan and Jaiveer which revolves around role of Ramu @ Ram Kumar. No such act has ever been accomplished by the petitioner in conspiracy with the alleged contract killers. The FIR No.182 dated 25.07.1998 was cancelled by the Police after due investigation.

Notice of motion for 25.08.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 28.05.2021 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case. The case shall be decided on the merits on the adjourned date.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 21.05.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from SI Sukhbir Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 21.05.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

25.08.2021
Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No