

CRM-M-33040-2021

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

CRM-M-33040-2021.  
Date of Decision:-24.09.2021.

Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

\*\*\*\*

Present: Mr. Pawan Kumar Hooda, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

(Through Video Conferencing)

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**VIKAS BAHL, J. (Oral)**

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.297 dated 27.07.2021 under Sections 3 and 4 of the Explosive Substances Act, 1908 and Sections 379, 411 of IPC, registered at Police Station Madlauda, District Panipat.

On 16.08.2021, this Court had passed the following order:-

*“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.297 dated 27.07.2021 registered under Sections 3, 4 of the Explosive Substances Act, 1908 and Sections 379, 411 of the Indian Penal Code, 1860 at Police Station Madlauda, District Panipat.*

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*Learned counsel for the petitioner inter alia contends that the petitioner was granted interim bail by the learned Additional Sessions Judge and had even joined the investigation. It is further submitted that the petitioner is running the Service Centre and when various tankers come to the premises from where the station is being run then there is a steam wash which is to be done inside the tankers and there is residue in the said process and the whole process is done in order to save the crops of the adjoining fields from being damaged and the petitioner is thus not doing anything which is illegal.*

*Notice of motion.*

*On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana appears and accepts notice on behalf of State of Haryana and seeks time to get instructions.*

*Adjourned to 24.09.2021.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

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Learned State counsel, on instructions from ASI Vijender Kumar, has submitted that the petitioner has joined the investigation and is not required for further investigation.

This Court has heard the learned counsel for the parties.

Keeping in view the above facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and interim order dated 16.08.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

**(VIKAS BAHL)**  
**JUDGE**

**September 24, 2021.**

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No