

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-39634-2021 (O&M)
Date of Decision:-1.11.2021

Ruldu Ram ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karan Singh, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.340 dated 23.6.2021 at Police Station City Kaithal, District Kaithal under Sections 148, 149, 307, 323 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. At the time of issuance of notice of motion on 22.9.2021, the following order was passed:

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.340 dated 23.06.2021 registered under Sections 148, 149, 307, 323 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station City Kaithal, District Kaithal.

Learned counsel for the petitioner contends that the petitioner who is a 77 years old man has been falsely implicated in the instant case solely on account of his being Tau i.e. paternal uncle of the main accused Sunil and Satish and that although the petitioner is alleged to have been present along with danda, yet no injury is attributed to him.

Learned counsel further contends that the petitioner has no criminal antecedents, besides, is ready and willing to join investigation and fully co-operate in the same.

Notice of motion.

Mr. Naveen Kumar Sheoran, learned DAG, Haryana accepts notice and on instructions from SI Jaipal Singh confirms the relationship of the petitioner with the co-accused, of his being 77 years of age and not being attributed any injury to the complainant party nor having any criminal antecedents, except the instant case.

Adjourned to 01.11.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail / surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall also abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

3. Learned State counsel, upon instructions from Investigating Officer, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner is not involved in any other case.

4. In view of the aforestated position, wherein the petitioner is stated to have joined investigation and is not even stated to required for any custodial interrogation and is not involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 22.9.2021 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

1.11.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No