

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

CRM-M-40829-2021 (O&M)
Date of Decision:-1.11.2021

Raju ... 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 6.10.2021, the following order was passed:

“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 Arms Act, 1959 at Police Station City Kaithal, District Kaithal.

Learned counsel contends that the petitioner has been falsely implicated in the instant case solely on account of being the cousin

of the main accused i.e. Sunil @ Sahab, Satish and Pawan, between whom the altercation had taken place with the complainant and that although three persons received gun shot injuries, the same are attributed to Sunil @ Sahab while the 4th accused who is alleged to have sustained lathi blows was allegedly injured by Raju, Ruldu Ram, Ram Chander and Pawan. Learned counsel further contends that although the complainant is alleged to have sustained a number of lathi blows yet injury by lathi blow attributed to the petitioner is a contusion on the left lower thigh and abrasion on the left shoulder, petitioner has no criminal antecedents, besides, is ready and willing to join investigation and fully co-operate in the same.

Notice of motion.

Mr. Gurbir Dhillon, learned AAG, Haryana accepts notice and on instructions from SI Jaipal Singh confirms the position as noted above.

Adjourned to 01.11.2021.

To be listed for hearing along with CRM-M No.39634 of 2021.

In the meantime, the petitioner is directed to join investigation and fully co-operate 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 6.10.2021 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

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No