

203-2

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

CRM-M-36046 of 2020

Date of decision: January 28, 2021

Saurabh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gourav Jain, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG Haryana.

MAHABIR SINGH SINDHU, J

Second petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner in FIR No.409 dated 11.09.2020, under Sections 148, 149, 341, 323, 325, 506 of the Indian Penal Code, 1860 (for short 'IPC') (Section 325 IPC added later on) & Section 25 of the Arms Act, 1959 (for short 'Arms Act'), registered at Police Station City Tohana, District Fatehabad.

This Court, on 04.11.2020, while issuing notice of motion, passed the following order:-

“Inter-alia contends that co-accused with similar allegations has already been granted the concession of interim bail by this Court vide CRM M-35688 of 2020.

Notice of motion.

To be heard along with CRM M-35688 of 2020 on 27.01.2021.

In the meanwhile, petitioner will join investigation

before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from police official, has stated that in terms of order dated 04.11.2020, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 04.11.2020 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

January 28, 2021
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No