

201-2

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

CRM-M No.36362 of 2020

Date of decision: April 05, 2021

Abdul Karim Khan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Harsh Chopra, Advocate for the petitioner.

Mr. Kiran Pal Singh, A.A.G. Haryana.

MAHABIR SINGH SINDHU, J

Second petition has been filed under Section 438 of Code of Criminal Procedure, 1973 for grant of bail to the petitioner pending trial in FIR No.409 dated 11.09.2020, under Sections 148, 341, 323, 506 and 325 (added later on) read with Section 149 of Indian Penal Code and 25 of Arms Act, 1959, registered at Police Station City Tohana, District Fatehabad.

This Court, on 09.11.2020, while issuing notice of motion, passed the following order:-

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

Notice of motion.

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.

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

Learned State counsel, on instructions from SI Bhal Singh, has stated that in terms of order dated 09.11.2020, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 09.11.2020 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 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

April 05, 2021

Sachin M.

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No