

259-B

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

CRM-M-41392-2021

Date of decision : 20.12.2021

Rajender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Raj Kumar, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is first petition filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.100 dated 15.05.2021 registered under Sections 147, 149, 323, 342, 506 of the Indian Penal Code, 1860 (Section 307 of IPC has been added later on) at Police Station Jui Kalan, District Bhiwani.

On 01.10.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel has placed reliance upon order dated 01.09.2021 (Annexure P-3), passed in respect of co-accused, who have already been granted the concession of pre-arrest bail.

Notice of motion for 20.12.2021.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the

satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

A photocopy of this order be placed on the file(s) of connected case(s).

Sd/- (MANOJ BAJAJ)

JUDGE

October 01, 2021”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 01.10.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Rajesh Kumar, has submitted that the petitioner has joined the investigation on 17.12.2021 and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances, moreso the facts which have been noticed in the order dated 01.10.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 01.10.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an 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.

20.12.2021

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No