

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
(201)

CRM-M-38769-2020
Date of decision: - 18.11.2021

Deepak @ Deepu

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sumeet Singh Brar, Advocate,
for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.206 dated 23.08.2020, registered under Sections 148, 149, 323, 341 and 506 IPC (Section 325 of the IPC added later on), at Police Station Kalanwali, District Sirsa.

Learned counsel for the petitioner contends that the petitioner has joined the investigation in terms of order passed by a Co-ordinate Bench of this Court on 06.09.2021. Order dated 06.09.2021 is as under: -

“Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.206 dated 23.08.2020 registered under Sections 148, 149, 323, 341, 506 IPC and Section 325 IPC added later

on, at Police Station Kalanwali, District Sirsa, Haryana.

Notice of motion was issued on 24.11.2020 and thereafter, vide order dated 03.12.2020, arrest of the petitioner was stayed on the premise that the offences under Sections 148, 149, 323, 341 and 506 IPC were initially alleged against the petitioner. Offence under Section 325 IPC was added later on. All the offences were bailable except the offence under Section 506 IPC, which was invoked in view of threat to life given by the accused. No injury was attributed on the vital part of the complainant. Petitioner was involved in 12 other cases, out of which he was acquitted in 5 cases and in other cases he is on bail.

In compliance of the order dated 24.11.2020, the State has filed a comprehensive reply disclosing the involvement of the petitioner in 13 other cases.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 11.09.2021 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case. The case shall be decided on the merits on the adjourned date.

Adjourned to 18.11.2021.”

Learned State counsel, on instructions from SI Bhoop Singh, states that in terms of the order of a Co-ordinate Bench of this Court reproduced before, the petitioner has joined the investigation and is not required for further interrogation, at this stage.

In view of the above, the order dated 06.09.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation

as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The present petition stands disposed of.

November 18, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No