

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

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CRM-M-39537-2020 (O&M)

Date of decision : 15.01.2021

MUSTAQ

... Petitioner

Versus

STATE OF HARYANA

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Balvinder Sangwan, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

CRM-909-2021

This application is for placing on record an affidavit of the petitioner as Annexure P-5.

Heard through video conferencing. For the reasons stated in the application, the same is allowed and Annexure P-5 is taken on record.

Main case

The petitioner is seeking anticipatory bail in FIR No. 182 dated 07.05.2020, under Sections 148, 149, 188, 285, 323 and 506 of the Indian Penal Code, 1860, and Section 25 of the Arms Act, 1959, registered at Police Station Faridabad Kotwali, District Faridabad.

Learned counsel for the petitioner contends that the FIR is counterblast to FIR No. 181 lodged by Zulfiqar wherein it was alleged that Kuldeep Singh, who is the complainant in the instant FIR, had caused injuries to Zulfiqar and others. In the instant FIR, which has been registered after

registration of FIR No. 181, it is alleged that the petitioner had fired in the air, but no one was injured in the occurrence.

This Court, by order dated 27.11.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from Head Constable Virender Singh, states that although the petitioner has joined investigation but he is not cooperating.

In view of the above especially when it is a case of version and cross-version and the petitioner has joined investigation, the Covid-19 Pandemic, the order dated 27.11.2020 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

January 15, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No