

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

203

**CRM-M-40271 of 2020(O&M)
Date of Decision : 29.10.2021**

Amit Singh

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Tyagi, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Sushil Jain, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

CRM-29487-2020

As prayed for, application is allowed.

CRM-M-40271 of 2020

Petitioner is seeking anticipatory bail in FIR No.246 dated 20.08.2020 registered under Sections 195-A, 307, 34, 216, 120-B and 201 of the IPC and Section 25 of the Arms Act, 1959 at Police Station Israna, District Panipat.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of the order passed by a Coordinate Bench of this Court on 26.08.2021. Order dated 26.08.2021 is as under:-

“Petitioner seeks grant of anticipatory bail in case

bearing FIR No.246 dated 20.08.2020, registered under Sections 195-A, 307, 34, 216, 120-B, 201 IPC and Section 25 of the Arms Act at P.S. Israna, District Panipat.

On 03.12.2020, following order was passed by the co- Ordinate Bench of this Court:-

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Learned counsel for the petitioner submits that the petitioner is being involved in the case as he is real brother of co-accused Vikas @ Vikku. Notice of motion for 22.01.2021.

Till next date of hearing, arrest of the petitioner shall remain stayed.

(HARI PAL VERMA)

December 03, 2020

JUDGE

Thereafter vide order dated 15.07.2021, this case was ordered to be heard along with connected case bearing CRM-MNo.19944 of 2021.

Vide order of even date, the aforesaid petition has been dismissed.

Learned counsel for the petitioner submitted that petitioner is being involved in the case as he is real brother of co-accused Vikas @ Vikku and he being friend of Roshan was involved only to the extent of sending the co-accused Vikas @ Vikku along with Roshan to different places. There is no direct attribution qua the petitioner.

Adjourned to 25.10.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 02.09.2021 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 on the merits of the case. The case shall be decided on merits on the adjourned date.”

Learned State counsel, who has also joined the proceedings through video conference on instructions from ASI Virender Singh, CIA-II, Panipat, states that in terms of the order passed by a Coordinate Bench of this Court, reproduced hereinbefore, the petitioner has joined the investigation with CIA-II, Panipat and he is not required for further interrogation, at this stage.

In view of the above, the order dated 26.08.2021 passed by a Coordinate Bench of this Court 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 petition stands disposed of.

October 29, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No