

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Criminal Misc.-M No.31 of 2021  
Date of Decision: July 12, 2021

Amjad

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Amit Gupta, Advocate,  
for the petitioner.

Mr.Kanwar Sanjiv Kumar, AA, Haryana.

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**MANOJ BAJAJ, J. (Oral)**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.81 dated 17.05.2020, under Sections 323, 324, 34, 341, 365 and 379-B IPC 1860, registered at Police Station, Partap Nagar, District Yamuna Nagar. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 06.01.2021, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel contends that as per the allegations in the FIR, the petitioner gave a danda blow on the back of the victim but there is no corresponding injury as per the Medico Legal Report (Annexure P-2). He submits that co-accused of the*

*petitioner has been released on regular bail vide order dated 30.10.2020 (Annexure P-4), therefore, in these given facts, the custodial interrogation of the petitioner may not be necessary.*

*Notice of motion for 05.04.2021.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Subhash Chand, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 06.01.2021 is made absolute.

**July 12, 2021**  
**ramesh**

**( MANOJ BAJAJ )**  
**JUDGE**

**Whether speaking/reasoned**  
**Whether Reportable:**

**Yes/No**  
**Yes/No**