

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51975-2019 (O&M)
Date of decision: 09.08.2021

Kapil

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S. Jattan, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. R.S. Chahal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.236 dated 02.10.2019 under Sections 148, 149, 323, 325, 341, 506 IPC, registered at Police Station Mulana, District Ambala.

While granting interim bail to the petitioner, following order was passed by this Court on 06.12.2019: -

“...Counsel for the petitioner has argued that on an earlier occasion, when the complainant has attacked one of the co-accused Babu Ram, a compromise was arrived at between the parties and the FIR has been registered as a counter-blast. It is further argued that except Section 506 IPC, all other offences are

bailable...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation. It is further submitted that a period of about 01 year and 08 months has passed, however, the petitioner has not misused the concession of interim anticipatory bail; investigation is complete and challan has already been presented.

Learned State counsel, assisted by learned counsel for the complainant and on instructions from HC Kamaljit Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation. It is further submitted that the petitioner is involved in some other cases and recovery of a car and iron rod has been effected from him.

After hearing learned counsel for the parties and considering the aforesaid submissions and also in view of the fact that the petitioner has joined the investigation and for a period of about 01 year and 08 months, he has not misused the concession of interim bail; challan stands presented and he is no more required for further investigation, this petition is allowed and the interim bail granted to the petitioner vide order dated 06.12.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

09.08.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No