

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

Sr. No.201

CRM-M-55689-2019

Date of Decision: 30.11.2021

MAHENDER @ BHOOP

... Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amit Kumar, Advocate, for
Mr. Harkesh Manuja, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Narinder Kumar Sharma, Advocate
for the complainant.

(through video conferencing)

Harsimran Singh Sethi, J.(Oral)

The petitioner is seeking anticipatory bail in FIR No.393 dated 12.11.2019 under Sections 307/34 of the IPC and 25 of the Arms Act, 1959 registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a co-ordinate Bench of this Court dated 07.01.2020. Order dated 07.01.2020 is as under:-

“Learned counsel for the petitioner contended that the petitioner is 78 years of age and the only allegation against him is that he has instigated his son Anant Ram to fire at Babli. He further contended that Anant Ram has already been arrested and recovery of fire arm has already been made from him.

The submission made by learned counsel for the petitioner is not disputed by learned State counsel.

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Adjourned to 27.02.2020.

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 State counsel on instructions from SI Shri Niwas, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 07.01.2020 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 cooperating, they will be at liberty to approach this Court for passing appropriate order.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

30.11.2021

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Whether speaking/reasoned	:	Yes
Whether reportable	:	No