

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

**CRM-M-1396-2022
Date of decision: 30.03.2022**

Aashish Kumar alias Ashu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 191 dated 07.07.2021, registered under Sections 307, 332, 353, 427, 34 of the IPC and Section 61 of the Punjab Excise Act (Haryana Amendment Bill, 2020) at Police Station Bilaspur, District Yamuna Nagar.

The operative part of the order dated 13.01.2022, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that he is identically placed to his co-accused Baljinder Singh, who has been admitted to interim bail by this court, vide an order passed on 26.11.2021 in CRM-M-49574-2021 (copy Annexure P-3).

A perusal of that order shows that the said person was admitted to interim bail on the ground that he was not the driver of the car which had allegedly hit a police official resulting in some injuries to that person.

Learned counsel, upon specific query, submits that the petitioner is also not the driver of the car, the said driver being Bhanu Ram.

Notice of motion is issued, with Mr. Neeraj Poswal, AAG, Haryana, accepts notice at the asking of the court.

Though he otherwise opposes the petitioner being admitting to bail in view of the fact that the driver of the car in which he was travelling is alleged to have attempted to drive over a police party, he could not deny that factually the petitioner is similarly placed as Baljinder Singh.

Adjourned to 30.03.2022.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 13.01.2022, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on the basis of the affidavit of DSP, Bilaspur, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 13.01.2022, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

30.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No