

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-1104-2022
Decided on : 05.04.2022

Satyawan

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Ravi Malik, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 266 dated 22.07.2021 under Sections 323, 324, 341, 506 and 34 of the Indian Penal Code, 1860 (Sections 325 and 326 IPC added later on) registered at Police Station Sadar Narwana, District Jind.

On 13.01.2022, this Court was pleased to pass the following order:

“The petitioner herein seeks the relief of anticipatory bail in the criminal case arising out of the FIR bearing No.266 dated 22.07.2021 registered at Police Station Sadar Narwana, District Jind, under Sections 323, 324, 341, 506 read with Section 34 IPC wherein the offences under Sections 325 & 326 IPC are stated to have been added later-on.

Learned counsel for the petitioner, inter-alia, contends that the petitioner has been falsely implicated in this case and even as per the allegations levelled in the subject FIR, he

was armed with danda (thick stick) and moreover, the offence under Section 326 IPC is attributed to his co-accused Ram Partap and his (petitioner's) co-accused named Amit has already been granted the relief of anticipatory bail by the Co-ordinate Bench and the petitioner is ready to join in the investigation as and when so required and is also not involved in any other criminal case of the similar nature.

Notice of motion.

Ms. Ambika Sood, learned Additional Advocate General, Haryana, who has joined the proceedings in this case in pursuance of the copy of the present petition having been sent to the respondent-State in advance, accepts the notice. She seeks time to get proper and complete instructions in this matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 05.04.2022.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation and is not involved in any other case.

Learned State counsel, on instructions, has submitted that the petitioner has joined the investigation on 05.02.2022 and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 13.01.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 13.01.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

05.04.2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No