

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2195-2022 (O&M)

Date of Decision:- 27.4.2022

Krishan Kumar

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjiv Kumar Aggarwal, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by ASI Manvir.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 105, dated 23.7.2021, Police Station Sadar, District Rewari, under Sections 353, 186, 307, 332, 506 and 34 IPC.
2. The allegations are broadly to the effect that while a trolly carrying cement was being checked by the police officials at a police naka, a car bearing registration No. DL-8CAP-0990 came there in which 2/3 persons were sitting and asked the police officials to release the trolly and upon refusal the car driver tried to run over the car upon the police officials.

3. At the time of issuance of notice of motion the following order was passed on 19.1.2022:

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.105 dated 23.07.2021, registered under Sections 353, 186, 307, 332, 506 and 34 IPC, at Police Station Sadar, District Rewari (Haryana).

Learned counsel for the petitioner submits that the petitioner was the co-passenger in the car; that no injury has been attributed to the petitioner; that it was the petitioner who sustained injuries and a fracture on the right side and that co-ccused, namely, Surender son of Mahender Singh, has already been granted the concession of regular bail by the learned District & Sessions Judge, Rewari, vide order dated 10.01.2022.

Notice of motion.

On the asking of this Court, Mr. Surender Singh, AAG Haryana. accepts notice on behalf of the respondent-State and seeks time to file the status report.

List on 27.04.2022.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

4. Learned State counsel, upon instructions from ASI Manvir has informed that pursuant to interim directions issued on 19.1.2022, the

petitioner has since joined investigation and is not required for any custodial interrogation.

5. In view of the aforestated position wherein the petitioner has joined investigation and is not required for custodial interrogation, the petition is accepted and interim directions issued by this Court vide order dated 19.1.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

27.4.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No