

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

**CRM-M-4713-2022
Date of decision: 30.03.2022**

Hanif and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Mohd. Uzair, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail in FIR No. 27 dated 14.01.2022, registered under Sections 147, 149, 186, 332, 353, 427, 506 IPC at Police Station Dhauj, Faridabad.

The operative part of the order dated 04.02.2022, vide which petitioner No. 1 has been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that petitioner No. 2-Gaisu @ Sehzaad is a juvenile, therefore, the present petition may kindly be treated as withdrawn qua petitioner No. 2 with liberty to avail appropriate remedy before the appropriate forum.

Ordered accordingly.

Learned counsel for the petitioners argues that petitioner No. 1 has wrongly been roped in the present case as he was present in his fields at the time when the incident happened. Learned counsel for the petitioners submits that as nothing is to be recovered from petitioner No. 1 and he is ready to join the investigation and cooperate, petitioner No. 1 may kindly be extended the

concession of anticipatory bail.

Notice of motion.

Mr. Gaurav Bansal, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that petitioner No. 1 alongwith other co-accused created hurdles when the police went to arrest Nasruddin in respect of FIR No. 26 of 2022 and this kind of attitude of petitioner No. 1-accused is to be deplored. Learned State counsel further submits that a simple injury was also received by one of the members of the police party, namely, Joginder Singh.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances of this case as the petitioner No. 1 is a senior citizen and nothing is to be recovered from him as of now and the allegations being alleged against petitioner No. 1 are yet to be proved during the investigation and thereafter during the trial, the purpose of investigation will be achieved in case, petitioner No. 1 is directed to join the investigation and co-operate.

As petitioner No. 1 has undertaken to join the investigation and co-operate with the same, he has made out a case for the grant of anticipatory bail.

Petitioner No. 1 is directed to join the investigation forthwith.”

Vide aforesaid order, the present petition was dismissed as withdrawn qua petitioner No. 2.

Learned counsel for the petitioners submits that petitioner No. 1, in pursuance to the order dated 04.02.2022, has already appeared

before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Ramesh Kumar, has not disputed the factual position and submits that petitioner No. 1 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 petitioner No. 1, vide order dated 04.02.2022, 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
Whether reportable

Yes/No
Yes/No