

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-12067-2022

Date of decision : 22.08.2022

Sumer Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Rohit Mittal, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.44 dated 05.02.2022 registered under Sections 341, 354-B, 506 and 34 IPC at Police Station Ateli, District Mahendargarh

On 23.03.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case due to party faction in the village; there is an unexplained delay in the lodging of the FIR; the allegations in the FIR are vague with no specific role attributed to the petitioner; there is no medical evidence to support the allegations of beating to the complainant and his family members showing falsity in the same; the Trial Court erred in rejecting the petitioner's plea for anticipatory bail on the ground that recovery of revolver etc. is to be made as the FIR itself does not involve any offence under the Arms Act and that the petitioner is also ready and willing to join and cooperate with the investigation as and when called by the investigating agency.

Notice of motion.

Mr.Sumit Jain, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 22.08.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.44, dated 05.02.2022, registered under Sections 341, 354-B, 506, 34 IPC at Police Station Ateli, District Mahendargarh, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order and the afore-referred statement made by learned State counsel, the order of this Court dated 23.03.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

22.08.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No