

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-16808-2022

Date of decision : 01.06.2022

Jasbir @ Jassu

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.228 dated 10.09.2021 under Sections 302, 34 and 120-B Indian Penal Code, 1860 (Section 201 IPC added later on) registered at Police Station Badhra, District Charkhi Dadri, who apprehends his arrest at the hands of Police.

On 25.04.2022, this Court had passed the following order:-

Learned counsel has argued that as per prosecution case, victim succumbed to the injuries caused to him by co-accused Ashish, Rahul, Sahil and Anil and even motive is attributed to Anil, who is closely related to the victim, with whom he had an altercation in the morning as well. He submits that the petitioner has been falsely implicated only on the ground that at the asking of co-accused-Anil, petitioner sent assailants to cause injury to the victim. In this regard, he has drawn the attention of the Court to the disclosure statement of co-accused-Anil, and submitted that in this statement, it is specifically stated by the said co-accused that upon his request, the petitioner gave him some phone number of someone else and did not send the assailants. According to him, in the given facts, the custodial interrogation of the petitioner may not be necessary as the entire case of the prosecution is founded upon circumstantial evidence

*and the petitioner has been implicated after a long delay on the strength of criminal conspiracy.
Notice of motion for 26.05.2022.
Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by Inspector Chander Shekhar states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 25.04.2022 is made absolute.

(MANOJ BAJAJ)
JUDGE

01.06.2022
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No