

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

CRM-M-24727-2022 (O&M)
Date of Decision:-17.10.2022

Deepak Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Abhivadya Sood, Advocate for
Mr. Raghav Sharma, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.269 dated 24.5.2020, Police Station Pehowa, District Kurukshetra, under Sections 148, 149, 307, 323, 324, 325, 506 of Indian Penal Code, wherein offence under Section 226 IPC was added and offence under Section 307 IPC was deleted later on.
2. At the time of issuance of notice of motion, the following order was passed on 2.6.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.269 dated 24.5.2020, Police Station Pehowa, District Kurukshetra, under Sections 148, 149, 307, 323, 324, 325, 506 of Indian Penal

Code, wherein offence under Section 226 IPC was added and offence under Section 307 IPC was deleted later on.

Learned counsel for the petitioner submitted that although an offence under Section 307 IPC was there in the FIR but the same has subsequently been deleted. Learned counsel has further submitted that, in any case, the petitioner is not named in the FIR and came to be nominated subsequently on the basis of disclosure statement made by a co-accused. It has further been submitted that some other identically situated co-accused, who were also not named in the FIR and had been named subsequently on the basis of disclosure statements, have already been granted anticipatory bail by this Court. Learned counsel, in this regard, has drawn the attention of this Court to order dated 27.10.2021 passed in CRM-M-36034 of 2020 (Annexures P-2) and order dated 7.9.2021 passed in CRM-M-19070 of 2021 (Annexure P-3).

Notice of motion for 17.10.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation

and he is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 2.6.2022 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.

17.10.2022

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No