

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

201

CRM-M-26223-2022

Date of Decision: 04.08.2022

Hemant

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kapil Kumar, Advocate, for
Mr. Vijay Pratap Singh, Advocate, for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by SI Jaswinder.

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.247 dated 17.08.2021, under Sections 307, 34 of IPC and Section 25, 54, 29 of Arms Act, registered at Police Station Bilaspur, District Yamuna Nagar.
2. At the time of issuance of notice of motion on 10.06.2022, this Court passed the following order:

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.247 dated 17.08.2021, under Sections 307, 34 of IPC and Section 25, 54, 29 of Arms Act, registered at Police Station Bilaspur, District Yamuna Nagar.

It has been contended by counsel for the petitioner that the petitioner is not named in the FIR. However, during investigation, he was clandestinely implicated in this case. He submits that as per the version in the FIR, the friend of the petitioner fired at the car of the son of the complainant. He further submits that neither the petitioner has been alleged to be armed with any weapon nor there is any recovery from the

petitioner. He submits that though there are other two FIRs against the petitioner but he has already been granted anticipatory bail in these cases.

Notice of motion.

On asking of this Court, Mr. Kirpal Singh Thakur, AAG, Haryana accepts notice on behalf of the State.

List on 04.08.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

- 1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.
 - 2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
 - 3) That the petitioner shall not leave India without prior permission of the court.”
3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 10.06.2022 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.

04.08.2022

(GURVINDER SINGH GILL)
JUDGE

Vimal

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