

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-26265-2022
Decided on :13.07.2022

Sajid

. . . Petitioner

Versus

State of Haryana

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 328 dated 07.05.2022 registered under Sections 13(1) of the Haryana Govansh Sanrakshan and Gosamvardhan Act, 2015 and Section 25 of the Arms Act, 1959 and Sections 147, 149 and 429 of the Indian Penal Code, 1860 registered at Police Station Sector 58, District Faridabad.

On 13.06.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“The petitioner is seeking anticipatory bail in FIR No.328 dt.07.05.2022 under Sections 13(1) of Haryana Govansh Sanrakshan and and Gosamwardhan Act, 2015, Section 25 of the Arms Act, 1959 and Sections 147, 149, 429 of IPC, registered at Police Station Sector 58, District Faridabad.

Counsel for the petitioner contends that the petitioner was not named in the FIR, that there is no material or

independent witness supporting the case of the prosecution and that petitioner was not apprehended at the spot. It is also contended that the petitioner is a resident of Village Teekri Kheda whereas the incident occurred in the jungle of Bizupur.

Notice of motion for 13.07.2022.

At the asking of the Court, Mr. Vikrant Pamboo, DAG, Haryana accepts notice on behalf of the respondent/State and states that the petitioner is involved in four other FIRs of similar nature.

In the meantime, the petitioner is directed to appear before the Investigating/arresting Officer to join investigation and in the event of his arrest, the Investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

13.06.2022 *Sd/-
(M. S. RAMACHANDRA RAO)
JUDGE”*

Learned counsel for the petitioner has submitted that the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Karambir, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 13.06.2022 and also the fact that the petitioner has joined the investigation, the present petition is allowed and the interim order dated 13.06.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

July 13th,2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No