

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-28100-2022

Date of decision : 22.08.2022

Rajvinder @ Anu Gujjar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. R.K.Handa, Advocate
for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.0112 dated 12.07.2021 registered under Sections 307, 34, 120-B, 201 IPC and Sections 25, 54, 59 of the Arms Act and Section 42-A of the Prisons Act, 1894 at Police Station Raipur Rani, District Panchkula.

On 05.07.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the present case is a case of no injury and the petitioner has not named in the FIR and even as per disclosure statement of the co-accused, the petitioner was not present at the time of occurrence. It is further submitted that the matter has already been compromised and reference has been made to the affidavit of Sumit Chhabra who is the complainant in the present case. It is contended that the petitioner had filed a petition for quashing of FIR on the basis of compromise and the said case is now listed for 22.08.2022. It is further contended that with respect to the other cases registered against the petitioner, the

petitioner has already been granted anticipatory bail in all the cases except one in which also interim order has been passed in favour of the petitioner.

Notice of motion for 22.08.2022.

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

05.07.2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

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

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 05.07.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 05.07.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

August 22, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No