

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

211

CRM-M-34396-2021

Date of Decision: 17.02.2022

Asru @ Asruddin

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vinay Kumar Pandey, Advocate, for the petitioner.

Mr. Rahul Mohan, 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.271 dated 10.07.2021 at Police Station Sadar Nuh, District Nuh, under Sections 148, 149, 307, 323, 324 & 506 of IPC and Sections 25 of the Arms Act.
2. When the matter was taken up on 17.09.2021, the following order was passed:

“Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.271 dated 10.07.2021, Annexure P-1, registered under Sections 148, 149, 307, 323, 324 and 506 of IPC, 1860, and Sections 25 of the Arms Act, 1959, at Police Station Sadar Nuh, District Nuh.

Status report by way of an affidavit of Deputy Superintendent of Police, CAW Nuh, District Nuh, has been filed on behalf of the respondent-State, in compliance of order dated 23.08.2021.

Counsel for the petitioner has urged that there are 22 accused and 10 persons are alleged to have received injuries and allegation

against the petitioner is of having inflicted injuries on Soyab, Jaida and Taslim with a wooden stick, which have been declared to be simple. Counsel submits that the petitioner is willing to join the investigation and co-operate with the Investigating Agency.

Counsel for the complainant has opposed the petition on the ground that the petitioner was a member of unlawful assembly and one of the accused is alleged to have caused gun shot injuries.

List on 16.02.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for by the Investigating Officer 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.”

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 and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and his custodial interrogation is not required, the petition is accepted and the interim directions issued by this Court vide order dated 17.09.2021 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.

17.02.2022

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(GURVINDER SINGH GILL)
JUDGE

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