

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

CRM-M-32302-2022

Date of Decision: 08.09.2022

Jamalu

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mazlish Khan, Advocate, for the petitioner.
Mr. Munish Sharma, A.A.G., Haryana.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 113 dated 09.06.2022, under Sections 148/149/323/325/341/452/506 (Section 307 was added later on), registered at Police Station Rozka Meo, District Nuh.

On 27.07.2022, this Court was pleased to pass the following order:-

“Inter alia contends that as per the FIR, neither there is any specific injury attributed to the petitioner, nor he is stated to have been armed with any weapon. It is further submitted that there is delay of two days in registration of FIR inasmuch as the alleged incident is of 07.06.2022 whereas the FIR has been registered on 09.06.2022 and has also submitted that the petitioner has been roped in only on account of being the relative of the main accused Sunny. It is contended that the petitioner is not involved in any other case.

Notice of motion for 08.09.2022.

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.”

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

Learned State counsel 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 27.07.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 27.07.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final 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.

September 08, 2022

nitin

Whether speaking/reasoned

Whether Reportable

(VIKAS BAHL)

JUDGE

Yes

No