

201-1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-:-

CRM-M-37762-2021 (O&M)

Date of Decision : 15.02.2022

Dheeraj

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. J.P.Jangu, Advocate for the petitioner.

Mr. Viney Phogat, DAG Haryana.

ALKA SARIN, J. (Oral)

Taken up through video conferencing.

On 13.09.2021, the following order was passed:-

“ The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.139 dated 09.07.2021 under Sections 307, 342, 365, 506 and 34 of the Indian Penal Code, 1860, registered at Police Station Sector-6, Dharuhera, District Rewari.

Counsel for the petitioner submits that the petitioner is not named in the FIR and he has roped in merely because he is related to the main accused, Amit and Naveen. According to the counsel, allegation attracting Section 307 IPC is not attributed to the petitioner. He has placed reliance upon order dated 10.09.2021 passed by this Court in CRM-M-37531-2021 whereby co-accused Neeraj Kumar, who as per the counsel is identically placed, has been granted interim protection.

Notice of motion.

On asking of the Court, Mr. Kuldeep Tiwari, Addl. Advocate General, Haryana accepts notice on behalf of respondent-State.

List on 15.02.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

To be heard with CRM-M-37531-2021”

Learned counsel for the petitioner has stated that the petitioner has since joined the investigation and has fully co-operated with the investigation.

Learned counsel for the State, on instructions from ASI Surender, has stated that the petitioner has since joined investigation and that he is not required for custodial interrogation as of now.

In view of the above, the order dated 13.09.2021 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed off accordingly.

February 15, 2022
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO