

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-34434-2022

Date of decision : 16.11.2022

Sandeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Rajesh Tushar, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438(1) Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.287 dated 06.06.2022 registered under Sections 323, 452, 506 and 34 I.P.C. at Police Station Adarsh Nagar, District Faridabad, Haryana.

On 05.08.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“The petitioner has approached this Court under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in case FIR No.287 dated 06.06.2022 under Sections 323, 452, 506, 34 of the Indian Penal Code, 1860, registered at Police Station Adarsh Nagar, District Faridabad.

Learned counsel appearing on behalf of the petitioner inter alia contends that the incident, in question, only pertains to causing simple injury with the danda. Besides, the concession of anticipatory bail has already been extended to co-accused Nitin Yadav vide order dated 20.07.2022 passed by the Additional Sessions Judge, Faridabad. He further contends that the petitioner does not suffer from any criminal antecedents and he is ready and willing to join the investigation as and when required to do so by the Investigating Agency.

Notice of motion.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana, who is present in the Court accepts notice on behalf of the respondent-State.

To come up for further consideration on 16.11.2022.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

August 05, 2022

**(VINOD S. BHARDWAJ)
JUDGE"**

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

Learned State counsel 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 05.08.2022, 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 05.08.2022 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**

November 16, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No