

**203-A *IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH***

**CRM-M-36659-2022
Date of decision : 06.09.2022**

Aslam Khan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Balraj Gujjar, Advocate
 for the petitioner.

Mr. Dhruv Sihag, 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.126 dated 02.07.2022 registered under Sections 186, 323, 332, 353, 379, 506 of IPC 1860, Sections 32, 33, 52 of Indian Forest Act, 1927 and Sections 27/29/51 of Indian Wildlife Protection Act, 1972 registered at Police Station Partap Nagar District, Yamuna Nagar (Haryana).

On 22.08.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the alleged wooden logs of Khair tree were obtained from an abandoned car and the present petitioner is not the owner of the said car and the recovery has not been effected from the possession of the present petitioner. It is further submitted that the recovery has already been effected and thus, the custodial interrogation of the petitioner is not required. It is contended that the petitioner has been falsely implicated in the present case on account of the fact that on 28.06.2022, the petitioner was crossing the barrier of forest at

Village Chikken when the complainant stopped the motorcycle of the petitioner and asked for its documents and the petitioner objected to the same by stating that it was not his duty to check the documents and on account of the same, a dispute arose between the parties. It is further contended that as per the prosecution version, the petitioner was the person who was driving the car but was not apprehended at the spot. Reliance has been placed upon order dated 25.07.2022 passed by this Court in the case of coaccused Sharif in which case, notice of motion has been issued and interim protection has been granted.

Notice of motion for 06.09.2022.

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.

To be heard alongwith CRM-M-31771-2022.

(VIKAS BAHL)
JUDGE

22.08.2022
Pawan”

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 from HC Sukhwinder Singh 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 22.08.2022, 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 22.08.2022 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

September 06, 2022
Amandeep

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No