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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44359-2021 (O&M)
Date of Decision:25.03.2022

Jasmer Singh

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.D. Gupta, Advocate for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Rakesh Gupta, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.244 dated 08.07.2021 registered under Sections 323, 325, 506 and 34 IPC (Sections 326 and 307 IPC added later on) at Police Station Naraingarh, District Ambala, who apprehends his arrest at the hands of Police.

On 27.10.2021, this Court had passed the following order:

“Case heard by way of video conferencing.

On 25.10.2021, i.e. two days ago, the following order had been passed by this court:-

“Case heard by way of video conferencing. A gazetted officer is directed visit the petitioners’ home and determine his actual medical condition, as to whether he is actually bedridden as is contend by the learned counsel for the petitioner; because the instructions of the learned State counsel are to the effect that the petitioner is admitted to a hospital (as per the investigating officer).

Adjourned to 27.10.2021.

In the meanwhile, till that date only and specifically the petitioner be not arrested.

To be shown in the urgent motion list.”

Today, Mr. Poswal, learned State counsel, on instructions from Sh. Anil Kumar, DSP, Naraingarh (District Ambala), submits that the said officer visited the petitioners’

home and found that his medical condition is not good and indeed he is bed ridden due to various injuries received by him.

Learned State counsel further submits that it is a case of an FIR registered against the petitioner and his co-accused, with a cross version thereto also having been registered at the instance of the petitioner; and in fact in that occurrence itself the petitioner has been injured and is now bed ridden.

Thus, in view of the above, the petitioner would join in the investigation, with the investigating officer to obviously visit him at his home to do so, in view of what has been stated by the DSP (to the learned State counsel), and upon him so joining investigation, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

Adjourned to 09.12.2021. ”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel, who is instructed by ASI Ramesh, states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.10.2021 is made absolute.

25.03.2022

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No