

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43428-2022

Date of decision : 18.11.2022

Anuj

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Yashveer Kharb, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Kamal Chaudhary, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

While issuing notice of motion, the following order was
passed:-

“Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, 1973, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 148, 149, 308, 323, 325, 342 and 365 IPC, in a case arising out of FIR No. 0603, dated 23.07.2022, registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner submits that as per version of the FIR there is no specific contribution assigned to the petitioner. The only role comes out to be is that he was standing at the spot of alleged occurrence. Learned counsel further submits that victim Praveen @ Teetu suffered total four injuries and only one injury is found grievous, whereas

complainant has named total seven accused. The alleged occurrence took place on 18.07.2022 and complaint for the first time was made to the police on 23.07.2022. Learned counsel further submits that in the absence of any specific role contributed to the petitioner, his custodial interrogation would be of no use to the prosecution.

Notice of motion.

On asking of the Court, Mr. Vikas Bhardwaj, Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State.

At this stage, Mr. Kamal Chaudhry, Advocate, has put in appearance on behalf of the complainant. Adjourned to 18.11.2022.

In the meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 438(2), Cr.PC.”

2. Today, status report by way of affidavit of Om Prakash, HPS, Deputy Superintendent of Police, Samalkha, District Panipat has been filed which is taken on record. As per the same, stand of the State has been spelled as under:-

“xx xx xx

In pursuance of his admission, petitioner has got demarcated the place of crime and also got effected the recovery of a bike No.HR-60G-0274 used in the crime. He has co-operated in investigation and he is not

required by police for custodial interrogation purpose. After completion of the investigation to satisfaction of P/SI Gourav Singh, he was released on adequate security bonds with directions to make himself available, on intimation, at the time of presenting the challan against him in the Ld. Court.”

3. Keeping in view the stand of the State, the present petition is allowed.

4. Interim order dated 20.09.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

(PANKAJ JAIN)
JUDGE

18.11.2022
Dinesh

Whether speaking/reasoned	Yes
Whether Reportable :	No