

210

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-43603-2022

Date of decision : 10.10.2022

Vishal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Nonish Kumar, Advocate for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.489 dated 11.07.2022 registered under Sections 148, 149, 308, 324 of the Indian Penal Code, 1860 (Sections 120-B and 201 of IPC have been added later on) at Police Station Civil Line Karnal, District Karnal.

On 21.09.2022, this Court had passed the following order:-

“Learned counsel for the petitioner inter alia contends that there is only one injury which has been caused to the injured and that injury has been attributed to co-accused Tushar. It is further submitted that neither the petitioner has been named in the FIR nor has been attributed any injury and is sought to be implicated on the basis of disclosure statement of the co-accused. It is contended that the petitioner is not involved in any other case. It is further contended that co-accused of the petitioner namely Pankaj who is similarly placed as the present petitioner has already been granted the

concession of anticipatory bail by this Court.

Notice of motion for 10.10.2022.

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.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 21.09.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Pawan Kumar, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 21.09.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 21.09.2022 is ordered to be made absolute.

However, 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 application.

10.10.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No