

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

CRM-M-54733-2021 (O&M)

Date of decision: 23.08.2022

Yogesh @ Yogender Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ankit Chahal, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No. 339 dated 22.11.2021, registered under Sections 307, 427, 506, 34 IPC and Sections 25, 54 and 59 of the Arms Act, 1959, at Police Station Sadar Palwal , District Palwal.

Vide order dated 10.02.2022, *ad interim* anticipatory bail was granted to the petitioner with a direction to join the investigation and vide order dated 11.07.2022, the petitioner was again directed to join the investigation.

Learned counsel for the petitioner submits that pursuant to the aforesaid order dated 10.02.2022, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Nepal Singh, submits that although the petitioner has joined investigation, he is not cooperating with the investigating agency and the weapon of offence is yet to be recovered from him.

I have heard the learned counsel for the parties.

Indisputably, no empty cartridge had been recovered from the petitioner. It is a debatable issue as to whether the weapon had been used in the occurrence.

Without commenting on the merits of the case, the present petition is allowed and the order dated 10.02.2022 granting *ad interim* anticipatory bail to the petitioner is made absolute, subject to the conditions envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

23.08.2022
Mangal Singh

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