

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-52070-2022
Decided on : 12.12.2022

Arshad

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Abhinav Sood, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 0007 dated 04.01.2021 under Sections 148, 149, 279, 307 IPC, Section 25 of the Arms Act, Section 13(1) of the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 11 of the Prevention of Cruelty to Animals Act, 1960 registered at Police Station Dabua, Tehsil and District Faridabad.

On 14.11.2022, this Court was pleased to pass the following order:

“Inter alia, contends that in the present case, even as per the prosecution case the petitioner was not apprehended at the spot and no injury has been caused to any person and from the place of occurrence, no empty cartridge has been recovered. It is further contended that the recovery in the present case has already been effected and co-accused of the petitioner including Hasir, who is the owner of the pick-up Bolero Vehicle, has been granted the concession of anticipatory bail.

Notice of motion for 12.12.2022.

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 14.11.2022, the petitioner has joined the investigation.

Learned counsel for the State 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 14.11.2022 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 14.11.2022 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.

(VIKAS BAHL)
JUDGE

12.12.2022
Mehak

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