

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(223)

CRM-M-58208-2022

Date of decision: - 22.12.2022

Anish

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Munfaid Khan, Advocate,
for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.07 dated 04.01.2021, registered under Section 13(1) of Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Sections 148, 149, 279 and 307 of Indian Penal Code, 1860 and Section 25 of Arms Act, at Police Station Dabua, District Faridabad.

On 14.12.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, neither the petitioner has been named in the FIR nor any injury has been caused to any person and from the place of occurrence, no empty cartridge has been recovered. It is further submitted that the owner of the truck Hasir as well as co-accused Arshad have already been granted the concession of anticipatory bail.

Notice of motion for 22.12.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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 14.12.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from SI Karambir Singh, 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 more so, the facts which have been noticed in abovesaid order dated 14.12.2022 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 14.12.2022 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.

December 22, 2022

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**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No