

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-4504-2023 (O&M)

Date of decision: 10.04.2023

KRISHAN NARWAL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Narender Kumar Vashist, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG Haryana.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.1129 dated 13.12.2022, registered under Sections 148, 149, 307, 323, 324, 379-B and 506 IPC at Police Station Civil Lines, Karnal District Karnal (Sections 307, 325 and 201 added later on).

On 01.03.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of anticipatory bail to the petitioner in case FIR No.1129 dated 13.12.2022, registered under Sections 148, 149, 307, 323, 324, 379-B and 506 IPC at Police Station Civil Lines, Karnal District Karnal.

Learned counsel contends that the injuries attributed to the petitioner having been declared simple in nature except for injury caused on the ring finger, which is grievous but the same is not caused by the petitioner. Both Sections 307 & 309 were deleted. He further submits that the petitioner is ready and willing to join investigation as and when required by the Investigating Agency.

Notice of motion for 10.04.2023.

At the asking of the Court, Mr. Tanuj Sharma, AAG, Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 07.03.2023. In the event of arrest of

the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.”

Learned counsel for the petitioner submits that in pursuance of order dated 01.03.2023, of this Court, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

Learned State counsel on instructions affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 01.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

April 10, 2023
M.Kamra

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No