

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

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Criminal Misc. No. M-8795 of 2023

Date of decision :-18.07.2023

Yogesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- None for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.496 dated 20.12.2022, under Sections 323, 341, 354-D, 365, 506 and 201 IPC and Section 25 of the Arms Act, registered at Police Station Urban Estate, Rohtak.

On 20.2.2023, this Court had passed the following order

:-

“Petitioner - Yogesh has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No 496 dated 20.12.2022 under Sections 323, 341, 354-D, 365, 506 of IPC and 25 of Arms Act, registered at Police Station Urban Estate, Rohtak.

It is argued that the petitioner is falsely implicated in this case being friend of main accused namely Sonu Gulia. It is pointed out that the complainant and Son Gulia performed

marriage and they were staying together as husband and wife. The dispute arose between them. Even as per facts, he was merely present on the spot as spectator. No overt act is attributed to him. He is ready to join investigation.

Notice of motion.

On the asking of this Court, Ms. Ambika Sood, Additional A.G, Haryana accepts notice on behalf of the State.

It is argued that he was also accompanying the main accused. The CCTV footage was also procured which is referred in the bail order dated 31.01.2023 (Annexure P-2) passed by the learned Special Judge-cum-Additional Sessions Judge, Rohtak. Therefore, there is a specific allegation qua the present petitioner also.

I have considered the contents of FIR as well as the aforesaid facts. The petitioner is ready to join the investigation.

Considering the fact, his arrest is stayed till next date, subject to the joining of investigation.

Adjourned to 26.04.2023.

Status report be filed by the respondent - State by the adjourned date.”

Learned State counsel, on instructions from ASI Pardeep states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 20.2.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the

investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

July 18, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No