

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

CRM-M-8735-2023

Date of Decision: 04.12.2023

VIKRAM

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Naveen Siwach, Advocate for the petitioner.

Ms. Trishanjla Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.68 dated 25.01.2023 under Section 25(1-B) of the Arms Act registered at Police Station Barwala, District Hisar.

2. Vide order dated 19.05.2023 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that the FIR has been registered on the allegations that the petitioner had posted a photo with firearm on his facebook. The photograph was allegedly uploaded on social media on 01.07.2020. The petitioner had joined the inquiry and where he had informed the police authorities that the weapon belongs to Sanjay Panghal, who subsequently deposited the weapon with Vidhya Gun House. The FIR has been lodged after a period of about 2 ½ years from the date of posting the photographs on social media. Moreover, the said photo has been taken in the residential house and the weapon was never displayed in public place. Even, there is nothing to indicate that the petitioner had fired any gunshot from the said weapon. Though, the petitioner is an under-trial in two other cases but is on bail in those cases.”

3. Learned counsel for the petitioner submits that in compliance of order dated 19.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 19.05.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
(JUDGE)

04.12.2023

kv

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