

2023:PHHC:091147

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

213

CRM-M-13476-2023 (O&M)
Date of decision: 19.07.2023

Walideen

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Inderjeet Singh, Advocate for the petitioner

Mr. Vikrant Pamboo, Sr. DAG Haryana

AMAN CHAUDHARY. J.

1. On 17.03.2023, this Court had passed the following order:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.265, dated 01.12.2022, under Sections 148, 149, 323, 324, 325 & 326 (added later on), registered at Police Station Partap Nagar, Yamuna Nagar.

Learned counsel for the petitioner contends that no injury has been attributed to the petitioner and in fact all the injuries attributed to the other co-accused. He further submits that the petitioner gave injury to the son of the complainant, though, it was simple in nature.

Notice of motion.

On the asking of Court, Mr. Gagandeep Singh Chhina, AAG, Haryana, accepts notice on behalf of respondent-State and does not controvert the above said fact stating that the only allegation qua the petitioner is giving injury to the son of the complainant and the same is simple in nature.

Considering the fact that the injuries are simple in the nature and other injuries are attributed to the other co-accused, the petitioner is directed to be released on interim bail subject to the satisfaction of Arresting Officer/Investigating Officer, on his joining investigation as and when called for and cooperate in investigation and also shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 19.07.2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but 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.

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

4. 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 17.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating 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

July 19, 2023
M.Kamra

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