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2023:PHHC:141458

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17019-2023
Date of decision: 06.11.2023

Yog Raj @ PinkiPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sandeep Singh Jattan, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the
petitioner seeks anticipatory bail in case FIR as under: -

FIR No.	Dated	Sections	Police Station
131	14.03.2023	148, 149, 323, 387, 506 IPC (Section 120-B IPC added lateron) Section 25 of the Arms Act	P.S. Pinjore, District Panchkula

2. Learned counsel for the petitioner submits that in compliance
to the order dated 11.04.2023, which is reproduced below, the petitioner
has joined the investigation: -

“The instant petition under Section 438 Cr.P.C., has
been filed for grant of anticipatory bail to the petitioner
in FIR No.131, dated 14.03.2023, under Sections 148,
149, 323, 387, 506 of IPC, 1860 and Section 25 of

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Arms Act, 1959 (Section 120-B of IPC added later on) registered at Police Station Pinjore, District Panchkula.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and he has no concern with the alleged incident, who is falsely implicated in the instant FIR.

Notice of motion.

On the asking of Court, Mr. Ashok Kumar Sehrawat, DAG, Haryana accepts notice on behalf of respondent-State, who states that the contention made by the learned counsel for the petitioner is correct and there is no allegation with regard to demand of any extortion money. He further states that there is no role attributed to the petitioner.

Ms. Hasan Kaur, Advocate has put in appearance on behalf of complainant and has filed vakalatnama, who also admits the contention made by counsel for the petitioner without controverting the factual aspects.

In the light of the above, 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 19.10.2023.”

3. Learned State counsel informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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4. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 11.04.2023 passed by this Court, interim bail granted vide order dated 11.04.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

5. The petition stands allowed.

6. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

06.11.2023
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |