

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21141 of 2023
Date of decision: 14th July, 2023

Sohan Lal

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gaurav Gaur, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.228 dated 03.09.2022 for the offences under Sections 148, 323, 324, 506, 149 IPC (Section 326 IPC added later on) registered at Police Station Ambala Sadar, District Ambala.

2. Vide order dated 28.04.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel, while drawing the attention of this Court to the allegations levelled in the FIR, which has been annexed as Annexure P-1, submits that the petitioner has not been attributed any injury in the occurrence in question, much less the injury inviting the mischief of Section 326 IPC, which has infact been attributed to the co-accused Monu. He submits that a perusal of the allegations

levelled in the FIR reveals that the only role attributed to the petitioner is that during the course of quarrel, which took place between the parties, the petitioner made the complainant fall down on the ground.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 28.04.2023, the petitioner has joined investigation and cooperated with the investigating agency.

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

5. In the circumstances, the petition is allowed and the interim order dated 28.04.2023 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

July 14, 2023
rps

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