

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.22250 of 2023
Date of decision: 31st July, 2023

Gulshan Kumar @ Gullu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.K. Khetarpal, Advocate for the petitioner.

Ms. Trishanjali Sharma, 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.0227 dated 14.04.2023 under Sections 186, 353, 379-A, 506 IPC registered at Police Station Ambala City, District Ambala.

2. On the last date of hearing, i.e. 04.05.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner contends that the petitioner has been falsely implicated. He submits that he was not involved in the business of sale of illicit liquor. He further submits that his son Deepu, who is alleged to have been present along with the petitioner at the time of the alleged incident on 13.04.2023, has been granted interim

protection by the Additional Sessions Judge, Ambala, whereas the same has been denied to him on flimsy grounds. He submits that the petitioner is a 62 years old person, suffering from various medical ailments. Reference has been made to the Medical Reports (Annexure P-3). He further submits that the petitioner is willing to join investigation and abide by any condition as imposed by this Court.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 04.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rajender, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, 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 04.05.2023 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

July 31, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No