

(214)

2023:PHHC:095460

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22869 of 2023

Date of Decision: July 27, 2023

Shahud ...Petitioner
Versus
State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Anad Ahmed, Advocate for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail in case FIR No.42 dated 02.02.2019 registered under Sections 148, 149, 307, 395, 186, 332, 353, 201 IPC and Sections 25/54/59 of Arms Act, at Police Station Pinangwan, District Nuh.

On 08.05.2023, following order was passed by this Court:-

“Prayer has been made in this petition filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.42 dated 02.02.2019 registered under Sections 148, 149, 307, 395, 186, 332, 353, 201 IPC and Sections 25-54-59 of Arms Act at Police Station Pinangwan, District Nuh.

It is contended by learned counsel for the petitioner that he is not named in the FIR; that allegations against him and similarly placed accused are that they got an under-trial released after beating the Head Constable.

It is revealed that similarly placed co-accused Mohd. Nadim was given the benefit of anticipatory bail in CRM-M-15540 of 2021 (O&M) on 09.11.2021. Another co-accused Mohd. Niyaz was allowed anticipatory bail in

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CRM-M-7948 of 2019 (O&M) on 06.05.2019 whereas co-
accused Mohd. Mubarik was given the same benefit in
CRM-M-13082 of 2021 (O&M) on 27.09.2021. The case of
the petitioner is on similar footing.

Notice of motion.

*Mr. Parveen Kumar Aggarwal, DAG, Haryana,
accepts notice on behalf of the respondent- State.*

Adjourned to 27.07.2023.

*In the meantime, in case of his arrest, the
petitioner shall be released on interim bail subject to
the satisfaction of the Arresting Officer/ Investigating
Officer. However, it is further directed that the petitioner
shall join the investigation as and when so required by the
Investigating Officer. He shall not contact any person
associated with the case to dissuade him from the
investigation in any manner whatsoever and nor shall leave
the country without prior permission of the Court. He shall
further comply with the conditions stipulated in Section
438(2) Cr.P.C.”*

Learned State Counsel has submits that petitioner has joined
the investigation in compliance of the afore-said order.

In view of the above, order dated 08.05.2023 granting
interim anticipatory bail is made absolute.

However, petitioner shall continue to join the investigation,
as and when required by the Investigation Officer.

Disposed of.

July 27, 2023

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(DEEPAK GUPTA)
JUDGE

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