

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-24086-2023 (O&M)

Date of decision: 10.07.2023

Surender Singh @ Sandu

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner

Mr. RKS Brar, Additional AG Haryana

AMAN CHAUDHARY. J.

1. On 12.05.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No. 613 dated 18.07.2022, registered under Sections 120-B, 148, 149, 307, 323, 324, 325, 365, 379-B, 506 of the Indian Penal Code, 1860 at Police Station Chandni Bagh, District Panipat.

Learned counsel submits that the petitioner has been falsely implicated in the present case. Though, he was named in the FIR alongwith the co-accused Ajit @ Jeeta, however, was not present at the spot. The injuries have been attributed to other co-accused but not to him. Co-accused Ajit @ Jeeta who is similarly placed as the petitioner has already been granted anticipatory bail vide order dated 16.11.2022. Though, there is one more FIR against the petitioner, however, he has been granted anticipatory by this Court itself vide order dated 11.05.2023. The petitioner is ready and willing to join the investigation as and when required by the investigating agency.

Notice of motion for 10.07.2023.

At the asking of the Court, Mr. Jagdish Manchanda, Addl. AG, Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 17.05.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Ar-

resting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.”

2. Learned State counsel has filed status report by way of an affidavit of Mayank Mishra, IPS, Assistant Superintendent of Police, Panipat. The same is taken on record. He on instructions from ASI Romi Gill, submits that the petitioner has joined investigation and fully co-operated with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
3. 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 12.05.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.
4. 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

10.07.2023
S.Sharma(syr)

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