

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.24773 of 2023
Date of decision: 13th July, 2023

Sandeep Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Punit Malik, 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.0137 dated 19.04.2023 under Section 25(1B) of the Arms Act, 1959 registered at Police Station Furrukhnagar, District Gurugram.

2. Vide order dated 26.05.2023, the petitioner had been granted the concession of interim bail in view of the following submissions made on 16.05.2023:-

“Learned counsel for the petitioner inter alia contends that the petitioner is innocent and has been falsely implicated in the case. He further submits that the anticipatory bail of the petitioner was dismissed by learned Additional Sessions Judge, Gurugram without appreciating the factual position.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 26.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from HC Vinod, 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 26.05.2023 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 13, 2023
rps

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