

2023:PHHC:091151

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

213 (II)

CRM-M-29985-2023 (O&M)
Date of decision: 19.07.2023

Israan

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Inderjeet Singh, Advocate for the petitioner

Mr. Vikrant Pamboo, Sr. DAG Haryana

AMAN CHAUDHARY. J.

1. On 08.06.2023, this Court had passed the following order:-

“The petitioner has filed the present petition for grant of anticipatory bail in case FIR No. 265 dated 1.12.2022, Under Sections 148, 149, 323, 324, 325 & 326 (added later on) of IPC, registered at Police Station Partap Nagar, Yamuna Nagar.

Complainant Reeso made the allegations that her son was standing outside her house on 28.11.2022 at about 4.00 PM. On hearing noise, she saw that some persons are arguing with her son and thereafter, they caused injuries to her son.

Learned counsel for the petitioner submits that the allegation against the present petitioner is that he has caused simple injuries to the injured and all the offences are triable by Judicial Magistrate Ist Class and the role of the petitioner is at par with that of his co-accused Walideen, who has been granted interim bail by this Court vide order dated 17.3.2023 passed in CRM-M-13476-2023.

Considering the case of the present petitioner to be at par with that of his co-accused Walideen, let notice of motion be issued for 19.7.2023.

On the asking of the Court, Mr Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of the State of Haryana.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of the Cr.P.C.

To be heard along with CRM-M-13476-2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from ASI Kuldeep Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. 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 08.06.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

5. 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

July 19, 2023
M.Kamra

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