

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

CRM-M-30151-2023

Date of decision : 07.08.2023

Chaman

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Parminder Walia, Advocate for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

On 09.06.2023 the following order was passed :-

“Present petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.73 dated 10.2.2023 under sections 427, 452, 506 IPC, registered at Police Station, Pinjore, District Panchkula. Learned counsel for the petitioner has contended that petitioner has been falsely implicated in the present case. He submits that from the bare reading of the allegations made in the FIR, it is apparent that no injury has been caused by the petitioner. It is submitted that petitioner is a young boy of 19 years, who has no criminal antecedents. Counsel submits that no case for custodial interrogation of the petitioner is made out, however, petitioner is ready to join investigation. Notice of motion. On the asking of the court, Mr. Kirpal Singh, AAG, Haryana accepts notice on behalf of respondent-State. List on 7.8.2023. In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

- (i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.
- (ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
- (iii) That the petitioner shall not leave India without prior permission of the court. ”

2. Today, Ld. State Counsel on instructions from ASI Arjun Singh submits that the petitioner has already joined investigation and is no more required for custodial interrogation.
3. Without commenting on the merits of the case and in view of the aforesaid fact, order dated 09.06.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.
4. The petitions stands disposed off.

August 07, 2023

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No