

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-31006-2023

Date of decision: 20.07.2023

Naresh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.509 dated 23.05.2023 under Sections 25(1-B)(a), 25, 54, 59 of the Arms Act registered at Police Station Hisar Sadar, District Hisar.

2. On the last date of hearing i.e. 21.06.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him/her/them to join investigation:-

“Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and nothing has been recovered from him. The alleged pistol has also been recovered from the co-accused-Ashok and he has no role to play in the present case. He further submitted that the co-accused has already been arrested and the recovery has already been effected. He also submitted that he is ready to join the investigation.”

3. Learned counsel for the petitioner submits that in compliance of order dated 21.06.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from HC Narender, 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 view of the above, the petition is allowed and interim order dated 21.06.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

20.07.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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