

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

CRM M-31201-2023 (O&M)
Date of Decision: 11.08.2023

Sahil Saini @ Ajay Saini @ Baba

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Saini, Advocate,
for the petitioner.

Mr. Vikram Singh, AAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.459 dated 10.06.2023, under Sections 323, 148, 506 & 325 read with Section 149 IPC registered at Police Station City Yamunanagar, District Yamunanagar.

2. Allegations against the petitioner are that he along with co-accused caused injuries to the complainant, namely, Captain Kumar.

3. The Coordinate Bench vide order dated 26.06.2023, granted interim bail to petitioner and the same reads as under:-

“Petitioner prays for pre-arrest bail in FIR No.459, dated 10.06.2023, registered under Section 323, 148, 149, 506 IPC (Section 325 IPC added later on), at Police Station City Yamunanagar, District Yamunanagar.

Learned counsel representing the petitioner inter alia contends that no specific role has been attributed to the petitioner in the FIR.

Notice of motion.

On asking of the Court, Mr. Samarth Sagar, Addl. AG, Haryana, accepts notice on behalf of the State.

List on 11.08.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C”

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 26.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending criminal misc. application(s), if any, shall also stand disposed off.

11.08.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No