

2023:PHHC:103287

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

209

CRM-M-31245-2023 (O&M)
Date of decision: 09.08.2023

Mohit

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. J.P. Sharma, Advocate for the petitioner

Mr. B.S. Virk Sr. DAG Haryana

AMAN CHAUDHARY. J.

1. On 27.06.2023, this Court had passed the following order:-

“Present petition has been filed under Section 438 of Cr.P.C., praying for grant of anticipatory bail to the petitioner in case bearing FIR No. 174 dated 03.06.2023 registered under Sections 148, 149, 323, 325 and 506 of the Indian Penal Code at Police Station City Mahendergarh, District Mahendergarh.

Learned counsel for the petitioner contends that as per allegations in the FIR, petitioner is stated to be armed with iron rod, who inflicted injury on the left hand of the complainant. Learned counsel further contends that the said injury is simple in nature. Learned counsel submits that petitioner is a student with no other criminal case against him and has clean antecedents. Learned counsel further submits that nothing is to be recovered from the petitioner and he is ready to join the investigation.

Notice of motion.

Mr. Gurmeet Singh, AAG Haryana, who is present in the Court, accepts notice on the asking of the Court and seeks time to file reply/status report.

Adjourned to 09.08.2023.

Meanwhile, in the event of arrest, the petitioner is ordered to be released on interim bail on his furnishing personal bonds and surety bonds 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.”

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 LASI Raj Bala 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 27.06.2023 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

August 09, 2023
M.Kamra

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