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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31360-2023(O&M)

Date of decision: 21.09.2023

Ashish Sharma

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Maninder Singh Saini, Advocate,
For the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Kamal Chaudhary, Advocate,
For the complainant.

ARUN MONGA, J. (ORAL)

Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner in case FIR No.0283 dated 23.05.2023, registered under Sections 148, 149, 279, 323, 324, 341, 506 of Indian Penal Code, 1860 (Section 326 IPC added later on) and Section 25 of Arms Act at Police Station, Pinjore, District Panchkula, Haryana.

2. Learned counsel for the petitioner submits that pursuant to earlier order dated 06.07.2023 passed by this Court, petitioner has joined the investigation and has fully cooperated in the same.

3. On a Court query, learned State counsel submits that though petitioner by virtue of order dated 06.07.2023 passed by this Court has joined investigation but he is not cooperating to get the car recovered, which was allegedly used by him in the incident in question.

4. Learned counsel for the petitioner under instructions states that petitioner is a young student of BBA studying at Gurukul Institute of Pharmaceutical Sciences Khamano Kalan, Fatehgarh Sahib and does not have any car registered in his name and, therefore, there is no question of his having used a car in the incident as has been alleged against him.

5. Be that as it may, petitioner has since joined investigation and the allegation of his owning the car, which was allegedly used in the incident, is a matter of trial.
6. In the premise, present petition is allowed. Order dated 06.07.2023granting interim anticipatory bail to the petitioner is made absolute, subject to petitioner’s complying with provisions under Section 438(2) Cr.P.C.
7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)

JUDGE

21.09.2023

Vandana

Whether speaking/reasoned:Yes/No

Whether reportable:Yes/No