

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

**CRM-M-35011-2023
Date of decision: 20.11.2023**

PANKAJ KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rohit Kumar, Advocate
for the petiitoner.

Ms. Trishanjali Sharma, DAG, Haryana

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail in FIR No.264 dated 09.09.2021 registered at Police Station Kheri Pul, District Faridabad for the offences under Sections 148, 149, 323, 506 IPC (Section 307 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 added later on).

2. Vide order dated 21.07.2023 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel, while drawing the attention of this Court to the allegations levelled in the FIR, which has been annexed as Annexure P-2, inter alia submits that neither was he named therein by the complainant nor any injury attributed, much less the injury inviting the mischief of Section 307 IPC. ”

3. Learned counsel for the petitioner submits that in compliance of order dated 21.07.2023, the petitioner had joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Hament

Kumar, has not disputed that other than the presence of the petitioner having been shown at the place of occurrence, no role much less has been attributed to him. Learned State counsel on instructions from ASI Hament Kumar has also not disputed that the petitioner has joined investigation and his custodial interrogation is not required.

5. In view of the above, the petition is allowed and interim order dated 21.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

20.11.2023
manoj

(MANJARI NEHRU KAUL)
JUDGE

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