

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-35546-2023

Date of Decision:11.12.2023

Islam @ Pappu
Vs.
State of Haryana

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Nain, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana
assisted by HC Dilbagh Singh.

DEEPAK GUPTA, J.(ORAL)

On 25.07.2023, following order was passed:

“CRM No.30173 of 2023

Application is allowed as prayed for.

CRM-M-35546 of 2023

By way of this petition filed under Section 438 Cr.P.C, prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.295 dated 03.06.2023 registered under Sections 5/13(2) of H.G.S and G.S. Act, 2015 at Police Station Sadar Nuh, District Nuh.

It is contended by learned counsel for the petitioner that petitioner has been falsely implicated. FIR was lodged on the basis of secret information to the effect that petitioner and co-accused were in the process of slaughtering an ox. On raid, both of them allegedly fled away.

Learned counsel has drawn attention towards the fact that similarly co-accused Mukim has already been allowed the benefit of anticipatory bail vide order dated 21.06.2023 (Annexure P.2) by learned Additional Sessions Judge, Nuh but the same has been declined to the petitioner on the ground that he is involved in some

other cases.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of the respondent- State.

Adjourned to 16.10.2023 for filing status report. In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from HC Dilbagh Singh, submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 25.07.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

December 11, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No