

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-35924-2023

Date of decision: 03.10.2023

Hussain

....Petitioner

V/s

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Inderjeet Singh, Advocate, for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

DEEPAK GUPTA, J. (Oral)

On 27.07.2023, the following order was passed by this Court:-

“Prayer in this petition filed under Section 438 Cr.P.C, has been made for grant of anticipatory bail in case FIR No.86 dated 12.03.2023 registered under Sections 397 and 201 IPC at Police Staton Mullana, District Ambala.

FIR was lodged on the complaint of one Hoshiar Singh, as per which on the night of 11.03.2023, three unknown persons entered his poultry farm and at pistol point, took away cocks/roosters.

It is contended by learned counsel for the petitioner that the petitioner has been nominated on the basis of disclosure statement of Bhisham Singh, who was arrested two months of the alleged occurrence in some other case. Learned counsel further contends that petitioner is not named in the FIR and has nothing to do with the offence and that he is ready to join the investigation.

Notice of motion.

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

Adjourned to 03.10.2023 for filing stauts 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 status report by way of an affidavit of Sh. Anil Kumar, HPS, Deputy Superintendent of Police, Barara, District Ambala, dated 03.10.2023 has been filed by the learned State counsel.

As per the instructions of the learned State counsel, in compliance of the order dated 27.07.2023, petitioner has since joined the investigation and he is no longer required for any investigation.

In view of the afore-said statement, order dated 27.07.2023 whereby interim anticipatory bail was granted to the petitioner in the FIR in question, is hereby made absolute. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and make compliance of the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

October 03, 2023
vcgarg

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