

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

211

CRM-M-36879-2023**Date of decision: 18.09.2023**

Sarjan Singh

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY*********

Present : None for the petitioner

ASI Irshad Ali in person

***********AMAN CHAUDHARY. J.**

1. On 01.08.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.184 dated 19.06.2023 registered under Sections 148, 149, 323, 324, 427 and 452 IPC (Section 325 IPC is added later on) at Police Station Sector 17 HUDA, Jagadhri, Yamuna Nagar, District Yamuna Nagar.

Learned counsel contends that as per the allegations the offence under Section 452 IPC is not made out inasmuch as the alleged occurrence took place in the house of wife of the petitioner, otherwise the injury is not on the vital part of the body. The petitioner is due to retire in two months from the Central Reserve Police Force, wherein he is working as Head Constable and currently posted at Kupwara, J&K. He is not involved in any other case and is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Jagdish Manchanda, Additional AG Haryana accepts notice on behalf of respondent-State.

Mr. Sanpreet Sandhu, Advocate has put in appearance on behalf of the complainant.

Meanwhile, the petitioner is directed to join the

investigation on or before 08.08.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of the conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 18.09.2023.”

2. ASI Irshad Ali submits that the petitioner has joined the investigation and is cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
3. 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 01.08.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.
4. 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.

18.09.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No