

CRM-M-43753-2023 (O&M)

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213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43753-2023 (O&M)
Date of decision : 23.11.2023

Junna @ Juned

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Munfaid Khan, Advocate,
for the petitioner.

Mr. Vikram Singh, AAG, Haryana,
for the respondent.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973, has been filed for grant of pre-arrest bail to the petitioner in FIR No.786 dated 19.11.2019, under Sections 279, 336, 307, 379 and 420 read with Section 34 of the Indian Penal Code, 1860, Section 13(1) of the Haryana Govansh Sanrakshan and Gosamvardhan Act, 2015, and Section 25 of the Arms Act, 1959, registered at Police Station Sector 8, District Faridabad.

2. Above FIR was registered on the basis of statement made by one Ashok @ Baba with the allegations that petitioner along with his companion tried to take away some cows for slaughtering purpose and petitioner also fired gun shot upon the complainant party.

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3. This Court, on 06.10.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“On request of learned counsel for petitioner, posted on 12.10.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

Let the petitioner be present in person on the date fixed.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Sunil Kumar, and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of the above, interim order dated 06.10.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

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9.
- Disposed off accordingly.
10.
- Pending application(s), if any, shall also stand disposed off.

23.11.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No