

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

202+2

CRM-M-50775-2021

Date of Decision: 14.03.2023

Sandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner

Ms. Dimple Jain, AAG, Haryana
(assisted by HC Sunder)

Mr. Aditya Sanghi, Advocate for the complainant

JAGMOHAN BANSAL, J. (ORAL)

On 06.12.2021, the following order was passed:-

“Learned counsel for the petitioner inter alia relies on the issuance of notice and grant of interim protection to similarly placed coaccused Robin, Mukesh and Subhash who had earlier approached this Court through CRM-M No.35235 of 2021 - Dinesh and others Vs. State of Haryana.

Notice of motion.

Mr. Rahul Mohan, D.A.G., Haryana accepts notice on behalf of the respondent-State. Mr. Aditya Sanghi, Advocate also puts in appearance on behalf of the complainant.

For arguments, adjourned to 15.03.2022.

To be heard along with CRM-M-35235-2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.95 dated 19.04.2021 registered under Sections

148, 149, 323, 324, 452 and 506 IPC (Section 427 IPC added later on) at Police Station Hathin, district Palwal, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel, on instructions from HC Sunder, submits that petitioner has joined investigation and no custodial interrogation is required.

It is a case of cross version. The petitioner and complainant have lodged FIR against each other under different Sections of IPC.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 06.12.2021 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

14.03.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>