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

CRM-M-47024-2022

Date of Decision: 15.11.2023

Babu Lal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. B.N.S. Marok, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Tarun Gupta, Advocate for
Mr. Rahul Vats, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.91, dated 22.06.2021, under Sections 147, 149, 323, 341, 427, 506 IPC wherein the offence under Sections 148, 302, 120-B and 34 PC were added later on, registered at Police Station Bahin, District Palwal.

2. It is submitted by learned counsel for the petitioner that in the present case, the allegations are that on 22.06.2021 an information was received by the police that one Satyam had been admitted in Government Hospital, Hathin and had sustained injuries and later on he was referred to Safdarjang Hospital, Delhi and later on, he expired on 25.06.2021. The complainant at whose instance the FIR was lodged, named seven persons as the assailants, but the name of the petitioner was not included and he was

thereafter nominated on the basis of supplementary statement of the complainant, namely, Avtar Singh which was also recorded after a lapse of 28 days of lodging of the FIR. He further submitted that the petitioner has been falsely implicated in the present case and even otherwise also he was granted interim anticipatory bail by a Co-ordinate Bench of this Court on 14.10.2022 wherein he has already joined the investigation and he has fully cooperated with the investigation process, and therefore, has prayed that the aforesaid interim order may be made absolute.

3. On the other hand, Mr. Naveen Kumar Sheoran, learned Deputy Advocate General, Haryana on instructions from Inspector Hari Krishan stated that the petitioner has joined the investigation and has co-operated with the investigation process and he is not required for custodial interrogation. He further submitted that qua the other co-accused, even challan has been presented.

4. In view of the aforesaid facts and circumstances and considering the statement made by the learned State Counsel on instructions that the petitioner is not required for custodial interrogation, the present petition is allowed and the order dated 14.10.2022 is hereby made absolute.

15.11.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No