

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

211

CRM-M-48158-2022 (O&M)

Date of decision: 10.07.2023

Nitin Kumar

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner

Mr. RKS Brar, Additional AG Haryana

AMAN CHAUDHARY. J.

1. On 08.12.2022, this Court had passed the following order:-

“Learned counsel for the petitioner states that FIR was registered after one month of the occurrence and complainant gave the explanation that he had sent message to petitioner, in case the petitioner apologizes, he would not pursue the matter. He submits that although petitioner is visible in the video clip but he had not done any overt act to commit the crime in question.

In para No.4 of the preliminary submissions of the status report, it is mentioned that the petitioner is visible in the Video Clip. It is also stated in the status report that the petitioner is also involved in case FIR No.432 of 2018 registered under Section 307 IPC.

Learned State counsel submits that the said video clip is in possession of the police authorities.

At this stage, learned counsel for the petitioner submits that no recovery is to be effected from the petitioner. He further submits that the petitioner is ready to join the investigation as and when required by the Investigating Agency.

Adjourned to 23.02.2023.

Meantime, in the event of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the

conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”

2. Learned State counsel on instructions from ASI Jarnail Singh, submits that the petitioner has joined investigation and fully co-operated 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 08.12.2022 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.

(AMAN CHAUDHARY)
JUDGE

10.07.2023
S.Sharma(syr)

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