

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 224(2)

CRA-S-2778-2023
Date of Decision-15.11.2023

NIKHIL

... Appellant

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. Pawan Hooda, Advocate for the appellant.

Mr. Gurmeet Singh, AAG, Haryana.

Ms. Vibha Nagar, Advocate and
Mr. Deepak Singh Saini, Advocate for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. On 28.09.2023, the following order was passed which is reproduced as under:-

It is inter alia pleaded that co-accused of the appellant, namely, Aman @ Meenu, who is named in the FIR, has already been granted concession of interim anticipatory bail vide order dated 19.07.2023 passed by this Court. It is also pleaded that appellant has been implicated in this case on the basis of disclosure statement of said coaccused.

Notice of motion for 15.11.2023.

To be heard with CRA-S-1847-2023.

Meanwhile, appellant shall join investigation as and when required by the investigating agency and subject to his reporting to investigating officer within two weeks from today, no coercive steps qua arrest of the appellant shall be taken. In case, his arrest is required to be caused, appellant shall be released on bail by Arresting Officer till the next date of hearing, on furnishing adequate personal bonds to his satisfaction. Appellant shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

2. Learned counsel for the appellant inter alia contends that the appellant has not been named in the FIR and has been implicated in the present case only on the basis of disclosure statement made by the co-

accused Aman @ Meenu and the appellant has already joined investigation and is not involved in any other case.

3. Learned State counsel has reaffirmed the fact that the appellant has joined the investigation. However, he seeks dismissal of the appeal on the ground that there is an apprehension that the appellant would attempt to intimidate and pressurize the witnesses in the present case.

4. In view of the above, keeping in view the abovesaid facts and circumstances, the present appeal is allowed and the interim protection granted to the appellant vide order dated 28.09.2023 is made absolute, subject to conditions provided under Section 438(2) of Cr.P.C.

5. If the appellant is found extending any threat to any of the witnesses in the present case, the State would be of liberty to move an application for cancellation of bail granted by this order.

6. Nothing expressed herein above would be construed to be an opinion on the merits of the case and the trial Court shall proceed in accordance with law without being prejudiced by the observation of this Court in the present appeal

(HARPREET SINGH BRAR)
JUDGE

15.11.2023

yogesh

Whether reasoned / speaking? Yes / No
Whether reportable? Yes / No