

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

**CRM-M-50088-2023
Date of decision : 29.11.2023**

Ankit Attri

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mohan Singh Rana, Advocate for the petitioner.

Mr. Ashok S. Chaudhry, Addl. A.G., Haryana.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.33 dated 06.02.2023, under Sections 323, 506 read with Section 34 of the Indian Penal Code, 1860 and Section 25 of Arms Act, 1959, registered at Police Station Chandhut, District Palwal, Haryana.

(2) Allegations against the petitioner are that he alongwith co-accused gave beating to complainant-Sagar Sharma and also raised a *lalkara* by pointing out country made pistol towards the complainant.

(3) This Court, on 05.10.2023, granted interim bail to the petitioner and which reads as under:-

“Contends inter alia that there is no specific injury attributed to petitioner; nor any other criminal case is pending against him.

Notice of motion for 29.11.2023.

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 the Code of Criminal Procedure, 1973.”

- (4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) Learned State Counsel, on instructions from Head Constable-Vinod Kumar, also acknowledged that petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 05.10.2023 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.
- (9) It is made clear that in case of any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

29.11.2023
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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