

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

**CRM-M-50655-2023
Date of decision : 29.11.2023**

Suresh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rahul Deswal, 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.186 dated 29.07.2023, under Sections 186,332,353 and 506 of the Indian Penal Code, 1860, registered at Police Station Jui Kalan, District Bhiwani.

(2) Allegations against the petitioner is that he boarded the bus and started arguing for the ticket; allegedly caught the steering of the bus, upon which complainant-Om Parkash, Conductor of the bus tried to remove the petitioner from bus and petitioner started hitting the complainant on his face and ear. He gave slaps and fist blows to the complainant and threatened to kill him.

(3) This Court, on 07.10.2023, granted interim bail to the petitioner and which reads as under:-

*“Contends that petitioner is a Government employee;
hence not likely to flee from justice.*

Notice of motion.

*Mr. Ashok S. Chaudhry, Addl. A.G., Haryana, accepts
notice on behalf of the respondent-State and seeks time to have
instructions and/or file written response in the matter.*

Posted 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 ASI-Kabil Singh, 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 07.10.2023 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