

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

(Sr. No.215)

CRM-M No. 54469 of 2022

Date of decision : 02.05.2023

Subhash

.....Petitioner

*Versus***State of Haryana**

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr.Virender Soni, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

(1) The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 326 dated 23.08.2022 registered under Sections 148, 149, 323, 324 and 506 IPC (Section 326 IPC added later on) at Police Station Kalayat, District Kaithal.

(2) On 23.11.2022, this Court had passed the following order : -

“Learned counsel for the petitioner has submitted that the main accused in the present case are two persons namely, Rajesh and Sumer and so far as the present petitioner is concerned, there is no specific role attributable to the petitioner.

Notice of motion.

Mr. Ranvir Singh Arya, learned Additional Advocate General, Haryana notice on behalf of the State of Haryana and prays for some time to file an affidavit.

Mr. Rishi Nijhawan, Advocate has appeared on behalf of the complainant and has filed his power of attorney which is taken on record. He has prayed for some time file his affidavit.

Adjourned to 02.05.2023.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C. ”

(3) Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

(4) After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 23.11.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

02.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No