

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-55836-2023
Date of decision: 30.11.2023

SATISH YADAV
Versus
STATE OF HARYANA

....Petitioner
...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Monu Sharma, Advocate for
Mr. Rohit Mittal, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

Status report dated 18.11.2023 in the form of an affidavit of Deputy Superintendent of Police, Kanina, District Mahendergarh (Haryana) already filed is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
210	27.08.2023	324, 506 and 34 of IPC	Sadar Kanina, District Mahendargarh.

3. It is submitted by learned counsel for the petitioner that in compliance with the order dated 06.11.2023, the petitioner has already joined investigation.

4. Learned State counsel, on instructions from HC Chander Bhan, has intimated that the petitioner has joined investigation and is not required for further investigation in the matter.

5. During the course of hearing on 06.11.2023, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
210	27.08.2023	324, 506 and 34 of IPC	Sadar Kanina, District Mahendargarh

2. *Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in this case due to some land dispute inter se the parties already going on. He submits that the alleged injury attributed to the petitioner has been self inflicted and is not grave in nature, considering the fact that the petitioner after receiving first-aid had gone to bus-stand, where he had called the police party for the purpose of registration of the present case, as is evident from the contents of the FIR itself. It is submitted that the petitioner had also lodged another FIR No.211 dated 29.08.2023 against the complainant for having assailed his mother along with his accomplices on the same day i.e. 27.08.2023, although the FIR was registered on 29.08.2023. He submits that there is no other case against the petitioner and he is ready to join investigation.*
3. *Notice of motion.*
4. *On the asking of the Court, Ms. Gaganpreet Kaur, DAG Haryana present in Court, accepts notice on behalf of the respondent-State and prays for time to file short reply in the matter.*
5. *Adjourned to 30.11.2023.*
6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*
7. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and co-*

operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 06.11.2023 passed by this Court, interim bail granted vide order dated 06.11.2023 is, hereby, confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

30.11.2023
kanika

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |