

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

CRM M-704-2024 (O&M)
Date of Decision: 05.03.2024

Imran @ Imran Khan

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Nafees Ahmed, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.387 dated 26.09.2023 registered under Sections 323, 324, 506 & 148 read with Section 149 IPC at Police Station, Sadar Tauru, District Nuh.

Status report dated 04.03.2024 by way of affidavit of Sh. Mukesh Kumar, HPS, Deputy Superintendent of Police, Tauru, District Nuh filed on behalf of respondent-State is taken on record. Registry to tag the same at appropriate place.

2. Allegations in brief are that petitioner along with co-accused Haris, Hayat, Jamshed, Suban Khan, Abbas, Sahab Khan, Ikhlal, Nisak and Maimuna formed an unlawful assembly and in prosecution of their common object, caused injuries to complainant and his colleague.

3. Learned counsel contends that in pursuance of the interim order dated 09.01.2024, he has joined investigation and his custodial interrogation is not required by the Police.

4. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. This Court vide order dated 09.01.2024, granted interim bail to petitioner and the same reads as under:-

“Notice of motion.

Mr. Kiran Pal Singh, AAG Haryana accepts notice on behalf of respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 05.03.2024.

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 Code of Criminal Procedure, 1973. ”

In view of the above, interim order dated dated 09.01.2024 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 be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail application.

9. Disposed off accordingly.

10. Pending criminal misc. application(s), if any, shall also stand disposed off.

05.03.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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