

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

CRM M-5715-2024 (O&M)

Date of Decision: 25.04.2024

Khajan Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Dinesh Maurya, 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.488 dated 07.09.2023 registered under Sections 324, 341 and 506 read with Section 34 IPC and Sections 326 and 427 IPC added later on, at Police Station, City Fatehabad.

2. Allegations are that petitioner along with co-accused Nishan Singh and Rana Singh in furtherance of their common intention, caused injuries to complainant Sukhdev Singh and Darshan Singh.

3. Learned counsel contends that petitioner was granted interim bail vide order dated 05.02.2024 and in pursuance of that, he has joined investigation; thus, his custodial interrogation is not required.

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 05.02.2024, granted interim bail to

petitioner and the same reads as under:-

“Contends inter alia that there is a delay of two days in lodging the FIR. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion.

Mr. Kiran Pal Singh, AAG, 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 13.03.2024.

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 the Code of Criminal Procedure, 1973.”

7. In pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required by the Police, at this stage; thus, interim order dated 05.02.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

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

25.04.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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