



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-6466-2024

Date of decision: 08.05.2024

Dharmender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.490 dated 08.09.2023 under Sections 148, 149, 323, 307, 452, 427, 120-B of the Indian Penal Code, 1860 and Section 25 (Act No.54) of the Arms Act, 1959 registered at Police Station City Fatehabad, District Fatehabad.

2. Status report by way of affidavit of Jai Pal Singh, HPS, Deputy Superintendent of Police, H.q., Fatehabad, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. On 07.02.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel inter alia contends that the



petitioner was neither named in the FIR nor any injury attributed to him in the occurrence in question, much less inviting the mischief of an offence under Section 307 IPC. It has been further submitted that he came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Vikram Singh and even therein, the only role attributed to the petitioner was that he had accompanied the other assailants to the place of occurrence and damaged the vehicle which was lying parked in the hotel with a stick. On a pointed query put to the learned counsel, he has submitted that the petitioner has clean antecedents as he is not involved in any other criminal case, much less a case of similar nature.”

4. Learned counsel for the petitioner submits that in compliance of order dated 07.02.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 07.02.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

08.05.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No