

2024:PHHC:049397

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-10474-2024
Date of Decision : April 10, 2024

JOGI RAM ALIAS JOGIPetitioner
VERSUS
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. K.L.Saini, Advocate for the petitioner.
Mr. Abhinash Jain, DAG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e. 4.3.2024, the following order was passed:-

“CRM-10168-2024

1. As prayed for, the instant application is allowed. The photocopies of the MLRs of the victim(s) are taken on record as Annexures P-2 to P-4.

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2. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.12 dated 20.01.2023, under Sections 147, 149, 323, 341 of the IPC (Sections 325 and 307 of the IPC added subsequently),registered at P.S. Garhi, District Jind.

3. The learned counsel for the petitioner submits that, though the name of the petitioner is recorded in the FIR, however, no specific role or injury has been attributed therein to him. He further submits coaccused Manga, Gunga @ Dharambir and Bira, who were arrested during investigation, and, from whom the weapon(s) offence has already been recovered, have already been granted the relief of regular bail. Lastly, he

submits that the petitioner is ready and willing to join the investigation, and, to cooperate with the investigating officer.

4. *Notice of motion for 10.04.2024.*

5. *Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.*

6. *In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”*

2. Today, the learned State counsel on instructions imparted to him by SI Rohsna Lal, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 4.3.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(KULDEEP TIWARI)
JUDGE

April 10, 2024
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No