



269 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-11986-2024

Date of Decision: 09.09.2024

Hanif

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Rohit Sharma, Advocate for
Mr. D.S. Matya, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

GURBIR SINGH, J. (ORAL)

1. The instant petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.35 dated 29.01.2024 under Sections 148/149/323/395/397/506/120-B of IPC, 1860 and Section 25(1B) (a) of the Arms Act, 1959 registered at Police Station Bhondsi, District Gurugram.
2. Vide order dated 06.05.2024 a Co-ordinate Bench of this Court had granted interim bail to the petitioner and directed him to join investigation. The same is reproduced as under:-

“Reply filed by way of affidavit dated 08.04.2024 of Manoj Kumar, HPS, Assistant Commissioner of Police, Crime-II, Gurugram, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.

Learned counsel for the petitioner while making reference to the complaint dated 02.02.2024 (P-7) submits that despite MLR (P-5), no action has been taken by the police; rather they are siding with the opposite party.

Faced with the above situation, learned State counsel seeks time to have instructions in the matter.

Posted for 03.07.2024.

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.”

3. Learned State counsel, on instructions from ASI, Sombir submits that in compliance of order dated 06.05.2024 petitioner has joined investigation and he is not required for any custodial interrogation.
4. I have heard learned counsel for the parties.
5. In view of the fact that the petitioner has joined investigation and his custodial interrogation is not required, the order dated 06.05.2024 granting interim bail to the petitioner is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.
6. Petition stands disposed of accordingly.

09.09.2024

Parveen kumar

**(GURBIR SINGH)
JUDGE**

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