

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214 CRM-M-12471-2024
Date of Decision : April 16, 2024

SAURABH NAIN -PETITIONER

V/S

STATE OF HARYANA -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ajay Nain, Advocate for
Mr. Narender Kaajla, Advocate
for the petitioner.

Mr. Abhinash Jain, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. On 12.03.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

- “1. 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.925 dated 19.11.2023, under Sections 147, 149, 294, 323, 506 of the IPC (Section 341 of the IPC added subsequently), registered at P.S. Barwala, District Hisar.
2. The learned counsel for the petitioner, in his asking for the relief (supra), has submitted that except Section 341 of the IPC (which has been added subsequently) and Section 506 of the IPC, all other offences are bailable offences. He has further submitted that though the petitioner is alleged to have actively participated in causing injuries to four persons, however, all the injuries are simple in nature.
3. Lastly, the learned counsel for the petitioner submits that, petitioner’s co-accused have already been granted the relief of regular bail by the learned Magistrate/trial Court concerned, and that, the petitioner is ready to join the investigation and to cooperate with the investigating officer.
4. At this stage, Mr. Jitender K. Sehrawat, Advocate, has recorded his appearance on behalf of the complainant, under a memorandum of appearance, instituted before this Court today,

and, as prayed for, he is permitted to file a validly executed Vakalatnama in his favour by the complainant, on or before the subsequent date of hearing. He has submitted that, in fact, four persons have suffered multiple injuries, and, the petitioner along with other co-accused had even followed the injured to the hospital, which led the injured to leave the said hospital and rush to another hospital.

- 5. *Notice of motion for 16.04.2024.*
- 6. *Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.*
- 7. *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 S.I. Satyawar, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.
- 3. In view of the above, the hereinabove extracted interim order dated 12.03.2024, as made by this Court, is hereby made **absolute**, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
- 4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
- 5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

April 16, 2024
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(KULDEEP TIWARI)
JUDGE

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