

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14263 of 2022 (O&M)
DATE OF DECISION :- 12.02.2024

Ashish Yadav

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Bipan Ghai, Senior Advocate
with Mr. Nikhil Ghai, Mr. Ram Kumar Saini,
Mr. P.S. Bindra and Mr. Shubham Mangla, Advocates
for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

Mr. Manish Soni, Advocate for respondent No. 2.

SUMEET GOEL, J. (Oral)

1. On 01.04.2022, the following order was passed:-

“Learned senior counsel appearing for the petitioner submits that the co-accused namely, Joginder Singh Yadav and Neena Yadav who had earlier approached this Court for the grant of anticipatory bail through CRM-M-13855-2022 have been referred for mediation and to make the mediation effective it would be appropriate that the petitioner also takes part in the same.

Notice of motion.

Mr. Sumit Jain, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

In the meanwhile the petitioner shall also take part in the mediation process to be held between his parents and the complainant and to facilitate the same till the adjourned date his arrest is stayed.

To await the report of the Mediator, adjourned to 10.08.2022.”

On 11.04.2023, the following order was passed:-

“Status report filed by respondent-State is taken on record. Learned counsel representing the State pointed out that the petitioners are not joining the investigation. On the other hand, learned counsel for the petitioners pointed out that they are still ready and willing to join the investigation but they were not allowed to do so.

Learned proxy counsel for the respondent No. 2 is requesting for an adjournment on the ground that arguing counsel is not available today. As the petitioners are still ready to join the investigation, therefore, they may join the investigation as and when asked by the Investigating Officer.

Adjourned to 12.05.2023.

Interim order to continue till next date.

Photocopy of this order be placed on the file of another connected case.”

2. Learned State counsel, on instructions from L/ASI Amandeep has stated that pursuant to the order dated 04.04.2022, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the present petition stands allowed and the interim order dated 04.04.2022 passed by this Court is 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. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

12.02.2024
P.Singh

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