



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-14929-2024
Date of decision: 29.05.2024

AMJADPETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Munfaid Khan, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Section	Police Station
431	11.12.2023	379 of IPC	Sector 65, District Gurugram.

2. Learned counsel for the petitioner submits that in compliance to the order dated 14.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 14.05.2024.
3. Learned State counsel, on instructions from HC Vikas, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.
4. During the course of hearing on 14.05.2024, following order



was passed:

“Arguments heard.

2. *During the course of arguments, it is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. The alleged disclosure statement of the co-accused Sajid referred to in the reply by the State in fact pertains to another FIR No.462 dated 11.12.2023 registered under Section 379 of IPC at P.S. Sector-40, Gurugram and the petitioner is having no concern with the present FIR. He submits that even the petitioner is not there in the alleged CCTV coverage of the crime.*

3. *When confronted, learned State counsel has very fairly admitted the fact that the disclosure statement does not pertain to the instant FIR nor is the petitioner visible in the CCTV footage.*

4. *In these circumstances, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.*

5. *List on 29.05.2024. ”*

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 14.05.2024 passed by this Court, interim bail granted vide order dated 14.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner



is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

29.05.2024
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No