



CRM-M-17975-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17975-2024

Date of decision : May 08, 2024

Sandeep Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Vikas Lochab, Advocate, for the petitioner
Mr. Bhupender Singh, DAG, Haryana

KULDEEP TIWARI, J. (ORAL)

1. On 15.4.2024, this Court passed the following order:-

“Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner in case FIR No.82 dated 16.5.2023, under Section 25-54-59 of the Arms Act, registered at Police Station Nizampur, District Mohindergarh.

Though the FIR was registered way back on 16.5.2023, however, the main accused was arrested on 6.12.2023 and in his disclosure statement, the name of the present petitioner was cropped up on the allegations that the petitioner alongwith the main accused had purchased the two pistols.

In the asking for the relief of anticipatory bail, the learned counsel for the petitioner submits that except the

**CRM-M-17975-2024****2**

disclosure statement of the co-accused, that too, was suffered after seven months of the incident, there is nothing to connect the present petitioner with the crime. Per contra, the learned State counsel has opposed the grant of anticipatory bail to the petitioner, while citing the antecedents of the petitioner, wherein, he is involved in ten other cases.

Faced with the abovesaid difficulty, the learned counsel for the petitioner draws the attention of this Court to para No.12 of the petition, wherein, he has given the details with regard to the stages of the FIRs registered against the present petitioner, which reflect that out of ten FIRs registered against him, he has earned acquittal in seven FIRs and in three FIRs, the investigation is pending against him and he is on bail in these FIRs.

Notice of motion for 8.5.2024.

On the asking of the Court, Mr. Bhupender Singh, DAG, Haryana- accepts notice on behalf of the State of Haryana.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of the Cr.P.C.”

2. Today, the learned State counsel on instructions imparted to him by HC Anil Kumar, submits that the petitioner has already joined the investigation and he is fully co-operating with the



CRM-M-17975-2024

3

investigation process and he is not required for any further custodial interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 15.4.2024 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.

May 08, 2024
'tiwana'

(KULDEEP TIWARI)
JUDGE

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