



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

CRM-M-19422-2024

Date of Decision : 14.05.2024

ROHIT DESHWAL

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sarfraj Hussain, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. On 22.04.2024, the following order was passed by this

Court:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.77 dated 09.03.2024, under Sections 365, 325, 323, 506 read with Section 34 of the IPC, 1860, registered at P.S. Sector 9-A, District Gurugram.

2. What emerges from the record, is that, the present FIR derives its origin from a complaint made by one Sumit Jain (hereinafter referred to as the ‘complainant’), wherein he alleged that, on 06.03.2024, at about 12:00 a.m., while he was standing in front of Star Key Residency (Hotel), the petitioner and his co-accused- Kunal Jaiswal came there and forcibly put him in their vehicle. He was taken to a vacant plot near Laxman Vihar Vegetable Market and was given beatings there. The petitioner slapped and gave fist blows to him, whereas, petitioner’s coaccused gave a blow of danda on his head. Moreover, they also demanded Rs.25,000/- from him.

3. The learned counsel for the petitioner submits that though the petitioner has been nominated as one of the assailants in the FIR, however, the only role attributed therein to him, is that of slapping and giving fist blows to the complainant. He further submits that, upon directions becoming issued by the learned trial Court concerned, the

petitioner had joined the investigation, however, merely owing to involvement of the petitioner's co-accused in a number of other cases, the learned trial Court dismissed anticipatory bail application of the petitioner.

4. Notice of motion for 14.05.2024.

5. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

6. 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, learned State counsel, on instructions imparted to him

by ASI Shyamlal, submits that the petitioner has joined the investigation in pursuance to the aforesaid order, and he has fully co-operated with the investigation process, and is no more required for any further custodial investigation.

3. Even as per the reply, dated 10.05.2024, filed by way of an affidavit of Sh.Rishi Kant, ACP, Old Gurgaon, the petitioner is stated to have joined investigation on 04.05.2024, and has fully co-operated with the investigating agency. The said report is ordered to be taken on record.

4. In view of the specific stand taken by the learned State counsel, the present petition is **allowed**, and order dated 22.04.2024 is, hereby, made absolute, on the terms and conditions as envisaged under Section 438(2) of the Cr.P.C.

May 14, 2024

dharamvir

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No