



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-22133-2024
Date of decision: 02.07.2024

RAMJITPetitioner

Versus

STATE OF HARYANA ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Bhanu Udai, 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 (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
141	09.04.2024	120-B, 147, 149, 308, 325, 341, 506 of IPC	Sector 56, District Gurugram, Haryana.

2. Mr. Vikas Bishnoi, Advocate, has put in appearance on behalf of complainant to assist the learned State counsel and filed power of attorney, which is taken on record.
3. Arguments heard.
4. Learned counsel for the petitioner has submitted that in compliance to the order dated 23.05.2024 passed by this Court, the petitioner has joined the investigation.
5. Learned State counsel, on instructions from ASI Rajiv, informs the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



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6. During the course of hearing on 23.05.2024, following order was passed:

“ 3. *It is inter alia contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that although the petitioner is named in the FIR but no specific overt act is attributed to him nor he has participated in the alleged occurrence on the fateful day. The petitioner is not having any other criminal antecedents and is ready to join the investigation.*

4. *Per contra, learned State counsel, by referring to the reply submitted by the State, has contended that the petitioner had been indulging in extorting money from the rehri vendors and has been part of the conspiracy. On instructions from ASI Rajiv, Investigating Officer of the case, who is present in Court, learned State counsel submits that no specific overt act is attributed to the petitioner in the alleged occurrence and he was not present at the spot at that time.*

5. *In view of this fact, 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.*

6. *List on 02.07.2024. ”*

7. 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 23.05.2024 passed by this Court, interim



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bail granted vide order dated 23.05.2024 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.

8. The petition stands allowed.
9. 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

02.07.2024
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- i) Whether speaking/reasoned?

Yes/No
- ii) Whether reportable?

Yes/No