



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

209**CRM-M-22956-2024****Date of decision: 07.08.2024****VIPIN KUMAR**

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Namit Khurana, Advocate, for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.38 dated 15.02.2024 under Sections 148, 149, 323, 452, 308 (Section 506 added later on) of the Indian Penal Code, 1860, registered at Police Station Chhapar, District Yamuna Nagar.

2. On the last date of hearing i.e. on 08.05.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner, inter alia, contends that the occurrence in question took place on 12.02.2024, however, the FIR came to be registered three days later on 15.02.2024; the petitioner was neither named therein nor any suspicion raised qua his involvement in the crime in question. He came to be nominated as an accused on the basis of a disclosure statement



allegedly suffered by co-accused Harman, who stated that all the accused travelled in the car of the petitioner to the place of occurrence on the fateful day. Learned counsel has submitted that the car on which the co-accused allegedly travelled to the place of occurrence, where they then committed the crime, stood already recovered from co-accused Harman.

On a pointed query put to the learned counsel for the petitioner as to whether he was visible in the CCTV footage, which was retrieved from the place of occurrence, he has emphatically replied in the negative.”

3. Learned counsel for the petitioner submits that in compliance of order dated 08.05.2024, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In view of the above, the petition is allowed and interim order dated 08.05.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

August 07, 2024
poonam

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No