



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

CRM-M No.23912 of 2024
Date of decision: 29th July, 2024

Mukesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.S. Tewatia, Advocate for the petitioner.

Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.740 dated 19.11.2015 registered for offences punishable under Sections 307, 342, 34 of the Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act, 1959 at Police Station City Palwal, District Palwal.

2. On the last date of hearing, i.e. 14.05.2024, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Ld. Counsel for the petitioner inter alia contends that the petitioner though named in the FIR but was not challaned in Police Report filed under Section 173 Cr.P.C. The trial qua the accused who was charged has resulted in acquittal.”



3. Learned counsel for the petitioner submits that in compliance of the order dated 14.05.2024, 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. She, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 14.05.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

July 29, 2024
rps

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