



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

212/2

**CRM-M-24309 of 2024
Date of decision: 22.08.2024**

MAHENDER SINGH

..PETITIONER

VS.

STATE OF HARYANA

..RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kushager Goyal, 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.585 dated 17.10.2023 under Sections 323, 324, 34, 341 and 506 of IPC (Sections 147, 148, 149 and 326 of IPC were added and Section 34 of IPC deleted later on) of the Indian Penal Code, 1860, registered at Police Station Rania, District Sirsa.

2. On 15.05.2024, while noticing the following submissions made by the 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:-

" Counsel for the petitioner *inter alia* submits that the petitioner was not named in the FIR but later on falsely nominated as accused in the present case and petitioner is having no criminal

antecedents. It is further submitted that even as per police version, the petitioner was armed with danda at the time of alleged occurrence as per the supplementary statement of injured-Beant Singh recorded by the police. Counsel for the petitioner further submits that similarly situated co-accused Kuldeep son of Prem Chand is already granted concession of interim bail by this Court vide order dated 13.05.2024 in CRM-M-23829-2024. It is further submitted that the petitioner is ready to join investigation with the police".

3. Learned counsel for the petitioner submits that in compliance of order dated 15.05.2024, 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 view of the above, the petition is allowed and interim order dated 15.05.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) Cr.P.C.

August 22, 2024
Poonam Sharma

(MANJARI NEHRU KAUL)
JUDGE

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