

2024:PHHC:083913



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25276-2024

Date of Decision : 08.07.2024

KULDEEP KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pawan K. Sharma, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. On 18.05.2024, the following order was passed by a co-ordinate Bench of this Court:-

“The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case FIR No.128 dated 23.04.2024 under Sections 148, 149, 323, 427, 341, 506, 325 IPC registered at Police Station Naraingarh, District Ambala.

The Counsel for the petitioner contends that a similarly situated coaccused namely, Satish Kumar has been granted the concession of interim anticipatory bail.

Notice of motion 08.07.2024.

On the asking of the Bench, Mr. R.S. Jhand, Addl. AG Haryana accepts notice on behalf of the State.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, they shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

i) that the petitioner shall make themselves available for interrogation before the Investigating Officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State is directed to file to the petition on or before the next date of hearing.

To be heard with CRM-M-23111-2024.”

2. Learned State counsel, on instructions imparted to him by the police official concerned, submits that the petitioner has already 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. In view of the specific stand taken by the learned State counsel, the present petition is **allowed**, and order dated 18.05.2024 is, hereby, made absolute, on the terms and conditions as envisaged under Section 438(2) of the Cr.P.C.

July 08, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No