

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.27812 of 2022
Date of decision: 8th January, 2024

Naim Ahmad

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Baljeet Beniwal, Advocate for the petitioner.
Mr. Rahul Mohan, Sr. 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.274 dated 23.05.2022 under Sections 379, 411, 120-B IPC registered at Police Station Sadar Nuh, District Nuh.

2. On 26.07.2022, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Inter alia contends that in the present case, the petitioner was although named in the secret information but was not apprehended at the spot and no recovery has been effected from the present petitioner and the recovery has been effected from vehicle bearing registration no.RJ-14GK-5134 which is owned by Isub @ Nabbi and not by

the present petitioner. It is further submitted that even the said Isub @ Nabbi has not named the present petitioner.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 26.07.2022, 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 the circumstances, the petition is allowed and the interim order dated 26.07.2022 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

January 08, 2024
rps

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