



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-26336-2024 (O&M)
Date of Decision:- 09.07.2024

PAVITAR WADHWA

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY, J. (ORAL)

1. Mr. Rahul Chauhan, Advocate has put in appearance on behalf of the complainant and filed his power of attorney. Same is taken on record.
2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
564	18.07.2023	148, 149, 323, 325, 341, 379-B, 506 IPC	City Yamuna Nagar, District Yamuna Nagar

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 23.05.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
4. Learned State counsel, on instructions from SI Satpal has



intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

5. Learned counsel for the complainant opposes the grant of bail to the petitioner.

6. Heard.

7. During the course of hearing on 23.05.2024, the following order was passed:-

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no role to play in the alleged occurrence. He claims the petitioner to be juvenile in view of the order passed by the Hon’ble Division Bench of this Court in CRM-M-17856-2020 (O&M), ‘Jatin vs. State of Punjab’, hence, the instant petition is maintainable. He contends that although the petitioner is named in the FIR but no specific overt act is attributed to the petitioner. He further contends that petitioner is not having any criminal antecedents and no case is registered against him and he is ready is ready to join investigation.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

5. Adjourned to 09.07.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

8. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation



consequent to the order dated 23.05.2024 passed by this Court, interim bail granted vide order dated 23.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

9. The petition stands allowed.

(SANJIV BERRY)
JUDGE

09.07.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No