

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-27327-2024
Date of decision: 15.07.2024

JANTI @ GURJANT SINGH
....Petitioner

Versus

STATE OF HARYANA
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Vinod Kumar, Advocate &
Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

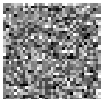
KULDEEP TIWARI. J.(Oral)

1. On 28.05.2024, this Court had passed the hereinafter extracted order,
upon the instant petition:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.125 dated 02.04.2024, under Sections 323, 324, 506, 34 of the IPC (Section 326 of the IPC added subsequently), registered at P.S. City Fatehabad, District Fatehabad.

2. The learned counsel for the petitioner submits that, neither the name of the petitioner reflects in the FIR, nor any specific injury has been attributed therein to him. In fact, the name of the petitioner has surfaced in the disclosure statement of co-accused Sunny, which is inadmissible in law.

3. The learned counsel for the petitioner further submits that, merely considering the antecedents of the petitioner that he is involved in three more cases, the learned Sessions Judge, Fatehabad, has erred in dismissing the anticipatory bail application of the petitioner, vide order dated 21.05.2024. He has also drawn attention of this Court towards the



order dated 15.05.2024 (Annexure P-2), to submit that, although the learned Sessions Judge, Fatehabad, had granted interim anticipatory bail to the petitioner in another FIR No.168 dated 24.04.2024, however, owing to dismissal of his anticipatory bail application in the present FIR, he could not join the investigation.

4. Notice of motion for 15.07.2024.

5. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. ”

2. Today, the learned State counsel on instructions imparted to him by ASI Balwinder Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 28.05.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

15.07.2024
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(KULDEEP TIWARI)
JUDGE

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