

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-27988-2024 (O&M)
Date of Decision:- 30.07.2024

VIJAY

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Baljeet Beniwal, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

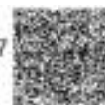
SANJIV BERRY, J. (ORAL)

Reply dated 26.07.2024 filed in the form of an affidavit of Deputy Superintendent of Police, State Crime Branch (H) Faridabad is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
91	22.06.2021	147, 149, 323, 341, 427, 506 of IPC and Section 302 and 120-B of IPC added later on.	Bahin, District Palwal.

3. Learned counsel for the petitioner has submitted that in



compliance to the order dated 09.07.2024 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 Inspector Hari Kishan 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. Heard.

6. During the course of hearing on 09.07.2024, the following order was passed:-

“ 2. Learned counsel for the petitioner, inter alia, contends that the petitioner was originally not named in the FIR but has been arrayed as accused in the supplementary statement made by the complainant. He contends that neither the petitioner was named in the FIR nor any specific overt act has been attributed to him. He contends that the case of the petitioner is at par with that of co-accused Sanjay who has since been granted concession of interim bail vide order dated 31.01.2024 in case bearing No.CRM-M-4969-2024 titled ‘Sanjay Versus State of Haryana’ which is pending adjudication. He further contends that no recovery has been effected from the petitioner and as such his custodial interrogation is not required. He submits that the petitioner is ready to join the 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 on instructions from Inspector Hari Krishan, submits that the case of the petitioner is at par with co-accused Sanjay. She further seeks time for filing short reply in the matter.

5. Adjourned to 30.07.2024.

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/suretybonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

7. 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 09.07.2024 passed by this Court, interim bail granted vide order dated 09.07.2024 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.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

30.07.2024
S.Sharma(syr)

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