



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-29889-2024
Date of decision: September 18th, 2024

Yamin

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.S. Swaich and Mr. S.S. Sandhu, Advocates
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.322 dated 26.08.2023 under Sections 395, 397, 412, 34 of the Indian Penal Code, 1860, and Section 25 (1-B)(a), 27(1) of the Arms Act (Section 392 of the IPC deleted, Section 395, 412, 34 of the IPC and Section 27(1) of the Arms Act added later on) registered at Police Station Bilaspur, District Gurugram.

2. Vide order dated 14.06.2024 passed by a coordinate Bench, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that initially the petitioner is not named in the present FIR and he has been nominated on the basis of disclosure statement of co-accused Khalid, who has already been

**CRM-M-29889-2024****-2-**

granted regular bail by the trial Court along with five other coaccused and recovery has already been effected from co-accused Sadam Hussain. He also submits that co-accused, namely, Aabid Ali has also been granted regular bail by this Court vide order dated 23.01.2024 passed in CRM-M-65138-2023. He further submits that the custodial interrogation of the petitioner is not required and he is ready to join investigation.”.

3. Learned counsel for the petitioner submits that in compliance of order dated 14.06.2024, 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. It has also not been dipsuted by the learned State counsel, on instructions, that there is no other case registered against the petitioner. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 14.06.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

September 18th, 2024*Puneet***(MANJARI NEHRU KAUL)****JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No