

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-30304-2024
Date of decision: 29.08.2024

VANSH ...PETITIONER

Versus

STATE OF HARYANA ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Gurinder Singh Dhot, Advocate for the petitioner.
Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

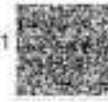
Reply dated 23.08.2024 in the form of an affidavit of Assistant Commissioner of Police, Sohna, Gurugram, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
105	04.04.2024	392, 394, 341, 427, 34 of IPC	Bhondsi, District Gurugram (Haryana).

3. Learned counsel for the petitioner submits that in compliance to the order dated 21.06.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 21.06.2024 .

4. Learned State counsel, on instructions received from HC Inderjeet, intimates the Court that the petitioner has joined investigation



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and is neither required for further investigation nor for any custodial investigation.

5. During the course of hearing on 21.06.2024, following order was passed:

“ Counsel for the petitioner contends that petitioner has been arraigned as an accused on the basis of disclosure statement of co-accused, which is inadmissible in evidence. By making a reference to the affidavit, attested on 28.05.2024, Annexure P-2, counsel submits that complainant has deposed that the petitioner is not one of the assailants.

Notice of motion.

On asking of the Court, Mr. Aman Bahri, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State. He has instructions to state the petitioner has clean antecedents.

Mr. Gurinder Singh Ghuman, Advocate has put in appearance on behalf of the complainant and has filed Vakalatnama, which is taken on record.

He submits that the petitioner is not involved in the instant case.

List on 29.08.2024.

Petitioner is directed to appear before the Investigating Officer on 03.07.2024 at 10.00 A.M. at Police Station Bhondsi, District Gurugram, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

6. Keeping in view the above submissions made by learned State



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counsel and the fact that the petitioner had joined the investigation consequent to the order dated 21.06.2024 passed by this Court, interim bail granted vide order dated 21.06.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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.

7. The petition stands allowed.
8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

29.08.2024
kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No