



CRM-M-30558-2024

(1)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

[215]

CRM-M-30558-2024

Date of decision: 02.09.2024

ROHIT

.....PETITIONER

Versus

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Raj Kumar Rathore, Advocate for the petitioner.

Ms.Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in FIR No.105 dated 14.05.2024 for the offences under Sections 148, 149, 323 and 506 IPC registered at Police Station Barara District Ambala.
2. On the last date of hearing i.e. on 26.06.2024 while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that there is a delay of three days in lodging the FIR in question, which lends credence to a false and fabricated version having been brought forth against the petitioner. While drawing the attention of this Court to the FIR in question (Annexure P-1) learned counsel submits that even otherwise, the only role attributed to the petitioner is that he hit the right hand of the complainant with an iron rod and the injury suffered by the complainant was opined to be simple in nature.”



3. Learned counsel for the petitioner has submitted that the petitioner, in compliance of order dated 26.06.2024, has joined the investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, has not disputed the submission made by the counsel opposite. She, on further instructions, submits that the petitioner is not required for custodial interrogation.
5. In view of the above, present petition is allowed and interim order dated 26.06.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC./482(2) of BNSS, 2023.

September 02, 2024

(MANJARI NEHRU KAUL)
JUDGE

*Anjal**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No