



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.32266 of 2024

Date of decision: 21st August, 2024

Hemraj Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Dharam Bir Bhargav, Mr. Kulwinder Bhargav &
Mr. Sagar Bathla, Advocates for the petitioner.

Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.130 dated 25.04.2024 under Sections 120-B, 186, 148, 149, 307, 332, 427, 506, 353 of the IPC, 1860 and Section 8-B of National Highways Act, 1956 registered at Police Station Naraingarh, District Ambala.

2. On the last date of hearing, i.e. 10.07.2024, while noticing the following submissions made by 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, inter alia, contends that the petitioner was only shown to be present at the place of occurrence alongwith the co-accused and he was alleged to be armed with a brick. It has been submitted that other than this, no role has been attributed to the petitioner much less inviting the mischief of offence under Section



307 IPC. Learned counsel has also contended that identically placed co-accused, though a child in conflict, has already been extended the concession of anticipatory bail by a Coordinate Bench of this Court vide Annexure P-3 on 30.05.2024. On a pointed query put to the learned counsel as to whether the petitioner has any criminal antecedents, he has categorically replied in the negative.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 10.07.2024, 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. She, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 10.07.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

August 21, 2024
rps

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