



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-32335-2024

Date of decision: 03.10.2024

Rahul Saini

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Agnihotri, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0143 dated 12.06.2024 under Sections 323, 34, 506 of the IPC, 1860 (Section 325 of the IPC, 1860 added lateron), registered at Police Station Saha, District Ambala.

2. On 10.07.2024, 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, inter alia, contends that there is no specific attribution qua the petitioner much less of having assaulted the complainant leading to a fracture on his right foot; rather it was on account of an accidental fall by the injured-complainant who was standing behind the co-accused Prince Saini that the injury was sustained and 3 of his teeth broke. 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.”



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3. Learned counsel for the petitioner submits that in compliance of 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 view of the above, the petition is allowed and interim order dated 10.07.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

03.10.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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