

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.44295 of 2023
Date of decision: 11th January, 2024

Rahul

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mandeep Nehra, Advocate for the petitioner.
Mr. Surender S. Pannu, Addl. 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.138 dated 01.07.2023 for the offences under Sections 186, 332, 353, 506 and 34 IPC registered at Police Station Buria, District Yamuna Nagar.

2. On 05.09.2023, 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 for the petitioner inter alia contends that the occurrence in question allegedly took place on 28.06.2023, however, there was an unexplained delay of three days in lodging of the FIR, which clearly indicated that a fabricated version had been brought forth. Learned counsel submits that the

petitioner is not named in the FIR in question wherein it has been alleged that some persons had obstructed the Assistant Lineman while he was discharging his official duty and had inflicted injuries on his person. It has also been submitted that there was no medico-legal report to corroborate the allegations levelled by the complainant qua he having received any injury at the hands of the accused party.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 05.09.2023, 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. He, 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 05.09.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. 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

January 11, 2024
rps

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