



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M-45102-2024
Date of decision: 20.11.2024

Bhajan Lal alias Laddi
Versus
State of Haryana and others

...Petitioner
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Shivam Kaushik, Advocate for the petitioner.
Ms. Tanisha Peshawaria, DAG, Haryana.
Mr. Atul Gaur, Advocate
for respondent Nos.2 and 3/complainant.

AMAN CHAUDHARY, J. (ORAL)

1. On 30.09.2024, this Court had passed the following order:-.

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for grant of pre-arrest bail to the petitioner in case FIR No.43 dated 24.02.2023, registered under Sections 323, 324, 341, 506, 34 IPC (Section 307 IPC added subsequently) at Police Station Shahzadpur, District Ambala.

Learned counsel submits that the petitioner, who is a Class 12th student aged 21 years, has been falsely implicated in the present case. Co-accused Deepanshu has already been granted anticipatory bail by the Court of Sessions vide order dated 04.03.2023 which was made absolute on 16.03.2023. Further, a compromise dated 24.01.2024 has been effected with the complainant, which is appended as Annexure P-2. The petitioner is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Ms. Vibha Tewari, AAG, Haryana accepts notice on behalf of respondent-State.

Mr. Atul Gaur, learned counsel for respondent Nos.2 and 3 has affirmed the factum of compromise and submits that he has no objection if the bail is granted to the petitioner

Adjourned to 20.11.2024.

Meanwhile, the petitioner is directed to join the investigation on or before 14.10.2024. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting



Officer, subject to compliance of conditions as enshrined under Section 482(2) of BNSS, 2023.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from SI Sandeep Kumar, P.S. Shahzadpur, District Ambala affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. She also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 30.09.024 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

20.11.2024
Hemant

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