

[214] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47459-2023
Date of Decision : 23.01.2024

Rahul Kangra alias Sunny ...Petitioner
versus
State of Haryana and anotherRespondents

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA
Present : Mr. Shoryaveer Vashist, Advocate for the petitioner.
Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

[1] On 20.09.2023, the following order was passed by this Court:-

“Present : Mr. Shoryaveer Vashist, Advocate for the petitioner.

The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.675 dated 25.07.2018, registered under Section 34 and 379-B IPC and Section 25 of Arms Act, 1959 (Section 452 IPC and Sections 54, 59 Arms Act, 1959 added later on) at Police Station Model Town, District Panipat.

Learned counsel contends that the petitioner has been falsely implicated in the present case, out of grudge, by the co-accused on the basis of their disclosure statement made in FIR No.1073, dated 30.07.2018, under Sections 452, 506 IPC and Section 25 Arms Act, 1959 lodged by his sister. However, the petitioner was not aware of the pendency of the present case on account of fact that he had left the village on having got married against the wishes of his family and started living in different cities including Gurgaon. The said co-accused have however been acquitted in the instant FIR vide judgment dated 17.12.2018, Annexure P-3. The petitioner is involved in 02 more cases, in one of which, he is on bail and 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, Mr. Jagdish Manchanda, Addl. AG, Haryana accepts notice on behalf of respondent-State.

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Meanwhile, the petitioner is directed to join the investigation on or before 28.09.2023. 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 438(2) Cr.P.C.

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.

Adjourned to 08.11.2023. ”

[2] Today, learned State Counsel, on instructions from ASI Rameshwar, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 20.09.2023 and is no longer required for further investigation.

[3] In view of the aforesaid, the order dated 20.09.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

[4] Disposed of.

(DEEPAK GUPTA)
JUDGE

23.01.2024
'Rajneesh'

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