



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47934-2024
Date of decision: 13.12.2024

RAJAN @ KAKUPETITIONER

Versus

STATE OF HARYANARESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Aditya Sanghi, Advocate and
Mr. Himanshu Garg, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

SANJIV BERRY, J. (ORAL)

Status report in the form of an affidavit of Deputy Superintendent of Police, Head Quarter, Sirsa, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-2) as under:

FIR No.	Dated	Sections	Police Station
255	14.04.2023	147, 149, 306, 323, 506 of IPC	Sirsa City, District Sirsa, Haryana.

3. Learned counsel for the petitioner submits that in compliance to the order dated 24.09.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 24.09.2024.

4. Learned State counsel, on instructions from ASI Jagpal Singh,



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intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

5. During the course of hearing on 24.09.2024, following order was passed:

“Learned counsel for the petitioner inter alia submits that on receipt of notice under Section 41(1)(a) of Cr.PC the petitioner has already joined the investigation on 31.05.2023. As per version of the prosecution itself, the boys including the deceased took liquor in the market and thereafter cameras were switched off. There is no suicide note and dying declaration of the deceased in this case. He further submits that after joining the investigation on 31.05.2023, the petitioner was never called for or no raid was conducted to arrest him.

Notice of motion.

On asking of the Court, Mr. Karan Sharma, DAG, Haryana appears and accepts notice on behalf of the respondent-State and seeks time to file status report. A copy of the paper book be supplied to him during the course of the day.

Learned State counsel submits that there were four injuries on the person of the deceased also, which were only abrasions. Two co-accused have already been arrested and granted concession of regular bail.

Adjourned to 13.12.2024.

In the meantime, petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency, subject to the



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following conditions as envisaged under Section 482 (2) of BNSS:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite. ”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 24.09.2024 passed by this Court, interim bail granted vide order dated 24.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.



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8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

13.12.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |