

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

211

2024:PHHC:024747

CRM-M-53192-2023

Date of decision: February 22nd, 2024

Rakesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.N. Lohan, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Additional Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.321 dated 01.10.2023 under Section 25 of the Arms Act and Section 120-B Indian Penal Code, 1860, registered at Police Station City Mahendergarh.

2. Vide order dated 19.10.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation. Thereafter, on 15.01.2024, following submissions of learned State counsel were recorded:-

“Learned State counsel, on instructions from ASI Dalel Singh, has not disputed the factum of the petitioner having joined investigation. However, she submits that the petitioner has not approached this Court with clean hands inasmuch as he has made a mention of only one i.e. FIR No.448 dated 25.10.2015 registered against him under Section 120-B of the IPC and Section 25 of the Arms Act at Police Station Mohindergarh wherein he has been acquitted whereas

fact of the matter is that there is one more case pending against him under the Arms Act.”

3. Learned counsel for the petitioner submits that in compliance of order dated 19.10.2023, 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 view of the above, the petition is allowed and interim order dated 19.10.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 22nd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No