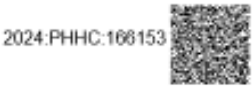


214-CRM-M-50946-2024



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-50946-2024
Date of decision: 12.12.2024

ShahnajuddinPetitioner.

Versus

State of HaryanaRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Mohammad Arshad, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seek
anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
48	01.02.2016	342, 395, 420 IPC & 25 of the Arms Act	Samalka, District Panipat

2. Learned counsel for the petitioner submits that in
compliance to the order dated 19.11.2024, the petitioner has joined the
investigation.

214-CRM-M-50946-2024

2024.PHHC:166153



3. During the course of hearing on 19.11.2024, following order has been passed: -

'It is inter alia contended by learned counsel for the petitioner that the petitioner was not named in the FIR and has no concern with the alleged offence. He contends that the petitioner never received any notice to appear as accused in the case since 2016, when the alleged occurrence had taken place. He further contends that as per the police version, 9 co-accused had been arrested, challaned and were put to trial, out of whom 6 co-accused were acquitted vide judgment dated 01.02.2023 passed by learned Additional Sessions Judge, Panipat and 3 co-accused were declared proclaimed persons. He submits that there is no reference regarding involvement of the petitioner in the said judgment in any manner. He further submits that as per the status report submitted by the State, the petitioner is alleged to have been nominated in the disclosure statements of said 9 co-accused, which is without any basis.

Learned State counsel has not disputed the fact that 6 out of 9 co-accused have since been acquitted and 3 co-accused have been declared proclaimed persons in the case. He submits that the name of the petitioner surfaced in the disclosure statement of co-accused Najju @ Najmudin (Annexure R-1).

214-CRM-M-50946-2024

2024.PHHC:166153



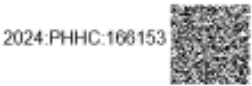
Be it the case, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.

List on 12.12.2024.'

4. Learned State counsel on instructions received from SI Angrej, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 19.11.2024 passed by this Court, interim bail granted vide order dated 19.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). 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.

214-CRM-M-50946-2024



- 6. The petition stands allowed.
- 7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

12.12.2024
preeti

(SANJIV BERRY)
JUDGE

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