

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-58482-2023

Date of decision: 09.02.2024

Baru Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kuldeep Singh Siwach, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.490 dated 08.09.2023 under Sections 148, 149, 323, 307, 452, 427, 120-B of the Indian Penal Code, 1860 and Section 25(Act No.54) of the Arms Act, 1959 registered at Police Station City Fatehabad, District Fatehabad.

2. On 24.11.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel inter alia contends that the petitioner was neither named in the FIR in question nor any injury attributed to him, much less inviting the mischief of Section 307 IPC; he came to be nominated as an accused only in the disclosure statement allegedly suffered by co-accused Vikram, and even therein the only role attributed to the petitioner was that he caused damage to the counter of the hotel with a stick which he was allegedly carrying at the time of occurrence in question.”

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3. Learned counsel for the petitioner submits that in compliance of order dated 24.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from ASI Gurpreet Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, 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 24.11.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.02.2024
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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