

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

242

CRA-S-3590-2023
Date of decision: 27.02.2024

AMIT @ AMIT SINGH

....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : None for the appellant.

Mr. Yuvraj Shandilya, AAG Haryana.

None for respondent No.2.

KULDEEP TIWARI. J.(Oral)

1. The instant appeal has been preferred against the order dated 29.11.2023, whereby, the learned Additional Sessions Judge, Narnaul, has declined to grant anticipatory bail to the appellant, in FIR No.206 dated 21.08.2023, under Sections 148, 149, 323, 452, 506, 34 of the IPC, and, under Section 3(2) (va) of SC/ST Act, registered at P.S. Sadar Kanina.

2. On the last date of hearing i.e on 21.12.2023, the following order was passed:-

"On 21.12.2023, notice was ordered to be issued to respondent no.2/complainant.

The office report reveals that respondent no.2, has been duly served. Despite service no one has caused appearance on behalf of respondent no.2.

Adjourned to 27.02.2024.

Meanwhile, the appellant is directed to join the investigation and on his doing so, the appellant be released on interim bail, subject

to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the appellant shall continue to join the investigation, as and when called upon to do so by the investigating agency and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

However, it is clarified that if the appellant does not join the investigation and co-operates with the investigating agency, as and when required by the Arresting/Investigating Officer, this interim order shall stand *ipso facto* vacated, without any further reference being made to this Court."

3. There is no representation on behalf of the appellant as well as respondent No.2. Even on the last date of hearing, despite service none has caused appearance on behalf of respondent No.2.
4. Learned State counsel, on instructions from the official respondent, submits that the appellant had joined the investigation and he is not required for any further custodial interrogation.
5. In view of the statement made by learned State counsel, the impugned order dated 29.11.2023, passed by the learned Additional Sessions Judge, Narnaul, is hereby set aside, and the interim order dated 21.12.2023, is made absolute.
6. However, in case, the appellant does not co-operate and join the investigation as and when required by the Investigating Agency, the State is at liberty to file application seeking cancellation of his interim bail.
7. Disposed of accordingly.

27.02.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No