

CRM-M-61506-2023

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

(101)

CRM-M-61506-2023
Date of Decision:-21.03.2024

Rakesh Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Wazir Singh, Advocate for the petitioner.

Mr. Anmol Maik, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.734 dated 08.08.2023 under Section 379 of the Indian Penal Code and Section 21 (1) of The Mines Minerals (Development and Regulation) Act 1957, registered at Police Station Samalkha, District Panipat.

2. Vide order dated 16.12.2023 and 27.02.2024, this Court while granting the concession of interim anticipatory bail directed the petitioner to join investigation.

3. Learned State counsel on instructions from ASI Sethan Pal submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

4. In light of the above, the present petition is allowed. The order dated 16.12.2023 and 27.02.2024 granting interim anticipatory bail to the

CRM-M-61506-2023

petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency, and shall abide by the conditions of Section 438 (2) Cr.P.C.

5. However, the issue with regard to delay in lodging the FIR is kept open.

6. It is made clear that, in case, the petitioner is found involved in any such activity once again, after the grant of this concession, the State is at liberty to promptly move an appropriate application for cancellation of this concession.

7. It is further made clear that this order shall not be construed as parity *qua* any other co-accused.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

March 21, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No