

219- CRM-M-57560-2024

2024.PHHC.168177



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

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

'2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, having no criminal antecedents, has been falsely implicated in this case, wherein, some liquor was recovered from the possession of the co-accused, namely Subash, who was arrested and recovery effected from him by the police. He contends that the petitioner is alleged to have been nominated on the basis of disclosure statement of the co-accused (supra), who has since been granted concession of bail. He contends that the petitioner has no concern with the said recovery from the case property recovered from the co-accused (supra) and the petitioner has been falsely nominated in this case, even no notice has been given by the police, as required as per the judgment rendered by the Hon'ble Supreme Court in (2014) 8 SCC 273, 'Arnesh Kumar vs. State of Bihar'.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and, on the basis of pairavi report, submits that there is no criminal antecedents against the present petitioner. She prays for time to file the status report/reply in the matter.

5. Adjourned to 12.12.2024.

219- CRM-M-57560-2024

2024.PHHC.166177



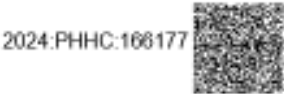
6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

7. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).'*

5. Learned State counsel on instructions received from HC Trilok Chand, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. 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.

219- CRM-M-57560-2024



- 7. The petition stands allowed.
- 8. 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 |