

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

2024:PHHC:044503

CRM-M-63110-2023

Date of decision: April 3rd, 2024

Sikender Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pardeep Goyal, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.264 dated 09.09.2021 under Sections 148, 149, 323, 506 IPC (Section 307 of the IPC added and Section 3 of Scheduled Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989 deleted later on) registered at Police Station Kheri Pul, Faridabad.

2. While issuing notice of motion on 15.12.2023, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel inter alia contends that neither was the petitioner named in the FIR in question, which was lodged after nine days of the alleged occurrence, nor was any role attributed to him in the crime in question.”

3. Thereafter, vide order dated 10.01.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and following submissions of learned counsel for the petitioner were recorded:-

“Learned State counsel, on instructions from SI Jamil

Khan, has not disputed the submissions made by the counsel for the petitioners that other than their presence being reflected in the CCTV footage of the place of occurrence, no role much less any injury has been attributed to them.”

4. Learned counsel for the petitioner submits that in compliance of order dated 10.01.2024, the petitioner has joined investigation and cooperated with the investigating agency.
5. Learned State counsel, on instructions, 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.
6. In view of the above, the petition is allowed and interim order dated 10.01.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

April 3rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No