



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CRM-M-59097-2024

Date of decision: February 17th, 2025

Nitesh Sharma and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Samay Singh Sandhawalia, Advocate
for the petitioners.

Petitioner qua petitioner No.1
(dismissed vide order dated 26.11.2024).

Mr. Rajat Gautam, Additional Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner No.2 is seeking the concession of anticipatory bail in FIR No.349 dated 27.10.2024 under Sections 110, 115, 3(5), 351(1) of BNS (Section 109 BNS added later on)/Sections 308, 323, 34, 506 of the IPC (Section 307 IPC added later on) registered at Police Station Sonipat Sadar, District Sonipat.

2. Vide order dated 26.11.2024, petitioner No.2 had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia contends that the allegations in the FIR pertain to an altercation between the complainant and the petitioners arising from a land dispute. Allegedly, the complainant, along with his younger brother, had gone to their fields when petitioner No.1 Nitesh Sharma allegedly approached them carrying a danda, while petitioner No.2

Ram Lal Sharma allegedly started abusing the complainant. A verbal argument ensued, escalating into a physical altercation. Allegedly, petitioner No.1 along with his brother Gaurav (already in custody) inflicted injuries on the person of the complainant while petitioner No.2 Ram Lal Sharma is attributed with punching the complainant.”

3. Learned counsel for the petitioner submits that in compliance of order dated 26.11.2024, petitioner No.2 has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of petitioner No.2 having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that petitioner No.2 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 26.11.2024, is made absolute qua petitioner No.2 subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

February 17th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No