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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-62227-2024 (O&M)
Date of Decision:- 29.01.2025

MUBIN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Nafeesh Ahmed, Advocate for the petitioner.
Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

1. Sh. Vivek Kundu, Assistant Commissioner of Police, Mujesar, District Faridabad is present in Court and has tendered unconditional apology, which is accepted. He has filed amended status report dated 25.01.2025 by way of his affidavit, which is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 438 CrPC, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
1094	20.12.2023	379 IPC	Sector-58, District Faridabad

4. Learned counsel for the petitioner has submitted that in



compliance to the order dated 12.12.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

5. Learned State counsel, on instructions has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

6. During the course of hearing on 12.12.2024, the following order was passed:-

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern with the alleged occurrence but has been nominated by the police allegedly on the disclosure statement of the co-accused, namely Rahish, with whom the petitioner has no concern. He contends that although two more cases were registered against the petitioner but he has been acquitted therein. Hence, the instant petition.

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, does not dispute the factual matrix regarding the petitioner being nominated on the basis of aforesaid disclosure statement. She prays for time to file the status report/reply in the matter.

5. Adjourned to 14.01.2025.

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). ”

7. 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 12.12.2024 passed by this Court, interim bail granted vide order dated 12.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) 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.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

29.01.2025
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |