

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

Crl.Misc.No.M-18772 of 2015

Date of Decision : 21.7.2015

Santosh

....Petitioner

Versus

The State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.R.N.Lohan, Advocate
for the petitioner.

Mr.Anmol Malik, AAG, Haryana.

.....

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on bail in terms thereof in a case registered vide FIR No.127 dated 13.4.2015 under Sections 323, 341, 452, 354(A), 354(B), 34 and 307 IPC at Police Station Meham, District Rohtak.

Initially the FIR was registered under Sections 323, 341, 452, 354(A), 354(B), 34 IPC. Subsequently the offence under Section 307 IPC was also added. It is pertinent to note here that the petitioner was granted the concession of regular bail prior to the addition of Section 307 IPC. It is contended by the learned counsel for the petitioner that Section 307 IPC was added without there being any opinion of the doctor in this regard. He further

contends that in any case the petitioner was on bail which concession he did not abuse and since he had already joined the investigation while being on bail, no useful purpose would be served by submitting him to arrest once again.

Noticing this, the Court had granted the interim protection to the petitioner on 1.6.2015 pursuant to which he is said to have joined the investigation on 4.6.2015. If that is so then I am of the view that the instant petition deserves to be accepted.

Consequently, the interim directions dated 1.6.2015 are hereby made absolute subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

Petition stands allowed.

21.7.2015

(MAHESH GROVER)
JUDGE

dss