

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-28385 of 2015

Date of Decision: 08.10.2015

Asha

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. J.P. Sharma, Advocate
for the petitioner.

Mr. Pradeep Sharma, AAG, Haryana.

Mr. Angel Sharma, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in case FIR No.323 dated 30.7.2015 under Sections 148/149/323/452/506 IPC registered at Police Station City Narnaul, District Mahendergarh.

This Court vide order dated 24.8.2015 has granted interim bail to the petitioner by passing the following order:-

“Learned counsel for the petitioner contends that a bare perusal of the FIR shows that no offence under

Section 452 IPC is made out and the allegations levelled against the petitioner are general in nature.

Notice of motion for 8.10.2015.

In the meantime, in the event of arrest of the petitioner, she shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that pursuant to the aforesaid order, the petitioner has joined investigation.

However, learned counsel for the complainant submits that this Court vide order dated 18.9.2015 passed in CRM-M-28324-2015 *Asha v. State of Haryana* has declined anticipatory bail to the petitioner in FIR No.325 dated 31.7.2015 under Sections 323, 325, 506 and 34 IPC registered at Police Station City Narnaul, District Mahendergarh.

Learned State counsel, on instructions from ASI Yashwant Singh, does not dispute the fact the petitioner has joined investigation in the instant case, however, submits that recovery of wooden stick is yet to be effected.

Heard.

The contention of learned counsel for the complainant that the petitioner has been declined bail in FIR No.325 dated 31.7.2015 under Sections 323, 325, 506 and 34 IPC registered at Police Station City Narnaul, District Mahendergarh is of no relevance, as in that case, the FIR was registered for commission of offence under Section 325

IPC also and the injured had suffered as many 13 injuries. However, in the present FIR, there is no such allegation against the petitioner.

In view of the aforesaid, the present petition is allowed and the order dated 24.8.2015 is made absolute.

October 08, 2015
AK

(HARI PAL VERMA)
JUDGE