

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-35009 of 2015 (O&M)
Date of decision: 05th November, 2015

Suresh Tyagi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Abhimanyu Singh, Advocate,
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 438 Cr.P.C., seeking anticipatory bail in case FIR No.444 dated 28.09.2015, registered at Police Station Rajendra Park, Gurgaon, District Gurgaon, under Sections 323, 506 IPC.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The FIR was registered under Sections 323, 506 IPC but at the time of arguments, it is stated that the offence under Section 325 IPC has been added lateron. The main offences under Sections 323, 325 IPC areailable. It is argued that offence under Section 506

IPC is non-bailable in Haryana. The petitioner has already joined the investigation and he is no more required for custodial interrogation.

Therefore, keeping in view the facts and circumstances of the present case and the fact that the main offences under Sections 323 and 325 IPC are bailable and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the order dated 12.10.2015., passed by this Court, granting interim bail to the petitioner is made absolute.

05th November, 2015
mamta

(INDERJIT SINGH)
JUDGE