

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

**CRM-M No. 11700 of 2016 (O&M)
Date of Decision: 02.05.2016**

Satish

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gaurav Deep Goyal, Advocate for
Mr. Rahul Deswal, Advocate
for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by SI Ram Aasra.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail on behalf of the petitioner/accused-Satish in case FIR No. 100, dated 06.03.2015, for offences punishable under Sections 148, 49, 323, 324, 302, 120-B of the Indian Penal Code and Section 25 of Arms, Act registered at Police Station Indri, District Karnal.

The occurrence occurred on the festival of Holi on 06.03.2015 at around 3:50 P.M near the house of the complainant Rahul. It is alleged that the younger brother of the complainant Rohit around 10 days earlier had a fight with the main accused Naveen, Ankit alias Rana which ended in a compromise. Due to the alleged grudge carried by them, the said accused persons along with 7-8 persons came on a motor-cycle on the day of Holi to confront Rohit, while saving Rohit, the father Raj Kumar suffered a knife blow at the hands of Naveen while Ahsan alias Rana and Naveen, the present accused Satish are alleged to have caught hold of Raj Kumar since deceased. In the occurrence,

Rohit and Rahul also suffered injuries.

Learned counsel for the petitioner submits that the name of the petitioner had surfaced in the investigations, on the disclosure statement of co-accused Ankit Sharma and thereby the attributed role of catching hold of the deceased. He further submits that the trial qua the main accused Naveen, Ankit and Ahsan alias Rana attributed a similar role since resulted in their acquittal vide judgment dated 06.02.2016. The petitioner was never aware of the said proceedings against him nor he was declared a proclaimed offender.

Learned counsel for the petitioner submits that pursuant to order dated 05.04.2016, passed by this Court, the petitioner has since joined the investigation on 30.04.2016 and released on interim bail. He further submits that the petitioner is ready and willing to face the proceedings during the trial.

Learned State Counsel, assisted by SI Ram Aasra, does not dispute the fact that the petitioner has joined the investigation and as such, nothing is to be recovered from him. He further states that the petitioner is no longer required for custodial interrogation.

In view of the above, the interim protection/pre-arrest bail granted to the petitioner by this Court's order dated 05.04.2016, is made absolute.

Disposed of.

May 02, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**