

CRM-M-18270-2016

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

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Date of Decision:17.08.2016

Kamlesh

... Petitioner(s)

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Deepa Jain, Advocate for
Mr. Yash Dev Kaushik, Advocate for
the petitioner.

Mr. Vikramjit Singh, Addl. A. G. Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.117 dated 04.05.2016, registered at Police Station Sector 18, Gurgaon, District Gurgaon, under Sections 323, 379-A, 506 and 34 of the Indian Penal Code.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Addl. A. G. Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned

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State counsel and have gone through the record.

From the record, I find that as per the version of the prosecution, on 02.05.2016, at about 6.00 p.m, complainant-Smt. Shimla Devi was waylaid by three young boys namely accused Pawan Kumar, Dinesh Kumar and Mahesh on account of previous altercation with the petitioner, accused, who happens to be mother of Pawan Kumar. The three accused boys are stated to have given beatings to the complainant and also snatched her one *tola* gold ring and 1.5 *tola* ear rings. The allegation against the petitioner is that she came out in the street armed with an iron rod and inflicted injuries on the nose and eye of the complainant.

Learned counsel for the petitioner contends that a false case has been got registered by the complainant and false allegations of snatching of gold items etc. have been levelled.

In pursuance of the interim order dated 25.05.2016 passed by this Court, the petitioner has joined the investigation and is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 25.05.2016, granting interim bail to the petitioner, is made absolute. However, the

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petitioner shall join the investigation as and when called upon to do so
and shall abide by the conditions of Section 438 (2) Cr.P.C.

17.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No