

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

CRM-M-21337-2016 (O&M)

Date of decision : 17.10.2016

Anuj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by SI Ram Bhagat.

Mr. S.S. Sahu, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.149 dated 03.05.2016, registered under Sections 147, 148, 323, 325, 341, 307 and 506 of the Indian Penal Code, at P.S. Bhuna, Tehsil and Distt. Fatehabad.

It has been averred in the petition that the petitioner has been falsely implicated in the instant case. The instant FIR, which has been lodged after a delay of more than 19 days, is a counterblast to FIR No.129 dated 26.04.2016, registered against the complainant and his son.

Learned State counsel, on instructions, states that after investigation, the petitioner has been declared innocent.

Learned counsel for the complainant contends that the delay in lodging the FIR was caused as the complainant was unfit to make statement. Even after recording of his statement on 23.04.2016, the police did not register the FIR. The same was ultimately registered on 03.05.2016, that

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too, without the opinion of the doctor. Three injuries suffered by the complainant have been declared dangerous to life.

Heard.

Keeping in view the fact that the petitioner has been declared innocent by the investigating agency and without going into the merits of the present case, the interim bail granted by this Court vide order dated 17.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

17.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No