

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-23213 of 2016

.....

Date of decision:22.8.2016

Dinesh

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Ms. Monisha Lamba, Advocate for the petitioner.

Mr. Vikramjit Singh, Additional Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.76 dated 16.5.2016 registered for the offences under Sections 148, 149, 323, 452 and 506 IPC at Police Station Tigaon, District Faridabad.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, learned Additional Advocate General, 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 Additional Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that the FIR in the present case has been registered at the instance of Rohit alleging that on 16.5.2016, his sister-in-

[2]

law Ruchi was intercepted by the petitioner and he also misbehaved with her. When the matter was complained by Ruchi, the complainant along with his grand-mother had gone to lodge the protest to the house of the petitioner, but the father of the petitioner and his brother Rajesh along with Pinky, Meenu and Hernandi attacked the complainant party with weapons like Lathi, Danda etc.

Learned counsel for the petitioner argued that the petitioner has not been attributed any injury. Father and mother of the petitioner have received injuries. He argued that the complainant party is the aggressor party.

The present petitioner has already joined the investigation. He is no more required for any custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 13.7.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the 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.

August 22, 2016.

(Inderjit Singh)
Judge

hsp

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