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

CRM-M-24603 of 2016

Date of decision: August 19, 2016

Kasam

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Sunil Panwar, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

Mr. Saleem Ahmed, Advocate
for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties and perused the interim order dated 22.07.2016 granting ad-interim anticipatory bail to the petitioner.

In FIR in question, petitioner was arrested on 27.11.2015 and was thereafter, admitted to regular bail on the same day. Thereafter, having obtained the medical report, the offence has been enhanced to Section 307 of Indian Penal Code, 1860 (for short 'IPC'). Petitioner is thus, seeking anticipatory bail in the said offence along with other offences in FIR No.599 dated 02.11.2015, under Sections 148, 149, 323, 341 and 506 IPC) (Section 452 IPC deleted and Section 307 IPC added later on), registered at Police Station Punhana, District Mewat (Haryana).

Learned counsel for the complainant vehemently opposes the petition for anticipatory bail pointing out to me that injury No.1 has been found to be dangerous or grievous injury.

I have seen injuries No.1 and 2. The size of injury is 3 x 1.8 cm, though, on the parieto occipital region. Similarly is the case with the other injury. There is no fracture to the skull anywhere. It is true that injury is lacerated wound but then prima-facie, no evidence under Section 307 IPC is made out. Hence, I am inclined to confirm the ad-interim anticipatory bail granted to the petitioner.

In that view of the matter, interim order dated 22.07.2016 granting ad-interim anticipatory bail to the petitioner, is made absolute.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

August 19, 2016

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No