

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

CRM-M-28232-2016

Date of decision: September 19, 2016

Sarvjeet

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Bajwa, Advocate
for the petitioner.

Ms. Harpreet Kaur, DAG, Haryana assisted by
Mr. H.N. Sahu, Advocate
for the complainant.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Section 438 of the Code of Criminal Procedure by Sarvjeet, feeling apprehension of his arrest, in case bearing FIR No.262 dated 20.06.2016, under Sections 307, 506 and 34 of IPC and 27 of Arms Act, registered at Police Station Safidon, District Jind.

At the time of issuance of notice of motion by this Court on August 16, 2016, the following order was passed:-

*“Notice of motion to the respondents for
19.9.2016.*

*In the meanwhile, in the event of arrest,
petitioner shall be released on ad-interim
anticipatory bail in FIR No.262 dated 20.06.2016,
registered under Sections 307, 506, 34 of Indian
Penal Code, 1860 and Section 27 of the Arms Act, at
Police Station Safidon, District Jind, on furnishing of
his bail bond amounting to ₹10,000/- with one surety
of like amount”.*

Undisputedly, petitioner has already joined the investigation on 20th August, 2016 in pursuance of the order passed by this Court on August 16, 2016. Nothing is to be recovered from him. It is also an admitted fact that during the course of occurrence, the petitioner has also been sustained injuries which have allegedly attributed to the complainant- party. It is a version and cross-version case as petitioner has also lodged another FIR No.264 dated 26.06.2016 against the complainant-party. Moreover, the injury which falls within the ambit of Section 307 IPC has been attributed to the non-applicants, namely, Jassa Singh and Ranjit Singh. No specific injury has been attributed to the petitioner.

Taking into consideration the above facts of the case, interim order dated August 16, 2016, is made absolute and shall enure during the pendency of the trial but subject to the conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave India without the previous permission of the Court.*

September 19, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No