

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

**CRM No.M-34351 of 2015 (O&M)
Date of decision:22.01.2016**

Darshan Khan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sandeep S. Majithia, Advocate for the petitioner.
Mr. D.S. Virk, AAG, Punjab.
...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks concession of anticipatory bail in case FIR No.149 dated 14.06.2015, under Sections 323/379/452/427/308/148/149 IPC, registered at Police Station City Barnala, District Barnala.

On 08.12.2015, the following order was passed by this Court:

“Learned State counsel submits that main accused namely, Sony son of the petitioner has been arrested. Petitioner is required for the purpose of investigation.

Under the circumstances, petitioner is directed to join the investigation forthwith. In the event of his arrest, however, the petitioner shall be released on bail to the satisfaction of Arresting/Investigating Officer subject to the following conditions:-

- i) He shall make himself available for interrogation by a police officer as and when required;*
- ii) He 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; and*
- iii) He shall not leave India without the previous permission of the Court.*

To come up on 22.01.2016.”

Learned State counsel upon instructions from ASI Avtar Singh would apprise the Court that the petitioner has since joined investigation.

It has also gone uncontroverted that the role attributed to the present petitioner is having given a baseball bat blow on the left arm of the injured, namely, Sarban Kumar and which injury has been opined to be simple in nature. State counsel further submits that the weapon i.e. baseball bat has already been recovered. It is also conceded that offence under Section 308 IPC was cited on account of role attributed to co-accused, Soni i.e. son of the petitioner who was arrested and thereafter had been released on regular bail.

In view of the above, the present petition is allowed. Order dated 08.12.2015 is made absolute.

Disposed of.

22.01.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**