

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

CRM-M -35432 of 2016 (O&M)
Date of decision: 15.12.2016

Ashok Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Manish Soni, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Ishwar Singh.

Mr. Atul Yadav, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.237 dated 21.07.2016, registered under Section 307 of IPC, at Police Station Bilaspur Gurgaon, District Gurgaon.

On 27.10.2016, this Court had passed the following order:-

“As per office report, notice issued to respondent No.2 has not been received back served or otherwise.

Fresh notice to the respondent No.2. be issued for 15.12.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1.That he shall make himself available for interrogation by a police officer as and when required;

2. That 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;
3. That he shall not leave India without prior permission of the Court.”

It is contended that there is no motive of the petitioner to cause injuries to the complainant/injured. The injuries were suffered in an accident when the petitioner was trying to avoid accident with another vehicle. He states that only simple injuries have been received by the injured. The petitioner removed the injured to his house. In pursuance of the order dated 27.10.2016, the petitioner has joined the investigation

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 27.10.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

15.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable:

Yes	No
Yes	No