

CRM-M-35728-2016

Date of Decision : 16.12.2016

Aditya Aggarwal

.....Petitioner

versus

UT of Chandigarh

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. A.K. Khunger, Advocate
for the petitioner.Mr. Rajiv Sharma, Addl.P.P.
for U.T. Chandigarh.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Jatinder Sharma, Executive Engineer in the Electricity Department alleging that when the complainant along with other officials had visited the site of Government High School for inspection, the petitioner along with his father Ashok Aggarwal who are contractors, lost their temper during the course of discussion regarding the change of the fittings to be installed at the Sports Complex and attacked the complainant besides abusing him and interfered in official discharge of his duty.

So far as the petitioner is concerned, allegation against him is that he had attempted to give a brick blow on the head of the complainant but others rescued him.

Learned State counsel along with the complainant had appeared on last date of hearing to oppose the application. Today also on the basis of record, learned State counsel has vehemently

opposed the application contending that on account of the conduct of the petitioner, he should not be granted the concession of pre-arrest bail.

I have considered the contentions of both the parties and gone through the record.

Taking into consideration the fact that no specific injury has been attributed to the petitioner and it is only a case of attempt of an injury; petitioner having joined investigation, he can be granted the concession of bail as custodial interrogation of the petitioner does not appear to be necessary.

The petition is allowed. It is ordered that in case of arrest of petitioner, he shall be released on bail to the satisfaction of the arresting officer subject to the following conditions:

- i) Petitioner will join investigation as and when required.
- ii) Petitioner will not, directly or indirectly, threaten the complainant or repeat any offence of similar nature, during the pendency of the trial.
- iii) Petitioner will not tamper with the evidence or hamper the investigation in any manner.

In case of violation of any of the conditions, it will be open to the complainant to seek cancellation of bail.

(M.M.S. BEDI)
JUDGE

16.12.2016
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No