

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

CRM No. M-35226 of 2015 (O&M)

Date of Decision : 21.01.2016

Raj Kumar

....Petitioner

Vs.

The State of Haryana

....Respondent

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

Present: Mr. Gorakh Nath, Advocate for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

...

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case F.I.R. No.255 dated 17.07.2015, under Sections 148, 149, 323, 452 and 506 I.P.C. (Section 307 I.P.C. added thereafter), registered at Police Station Kanina, District Mahendergarh.

While issuing notice of motion on 04.12.2015, the following order was passed by this Court:

“Contends that injury attracting offence under section 307 IPC was inflicted by Sher Singh and Rakesh who have already been arrested by the investigating agency. Petitioner has attributed a simple injury to two persons namely Daya Ram and his wife Manju on non-vital part of the body.

Under the circumstances, petitioner is directed to join the investigation forthwith. However, in the event of his arrest, he shall be released on bail to the satisfaction of the arresting officer/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 them from disclosing such facts to the Court or to any police officer;

iii. He shall not leave India without the previous permission of the Court.

To come up on 21.01.2016.”

Learned State counsel upon instructions from ASI Ved Parkash would apprise the Court that the petitioner has since joined investigation. It has also not been controverted that the injury attracting offence under Section 307 I.P.C. is attributed not to the petitioner but to the co-accused Sher Singh and Rakesh.

In view of the above, petition is allowed. Order dated 04.12.2015 is made absolute.

Disposed of.

January 21, 2016.

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**