

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

**CRM No.M-39887of 2016 (O&M)**

Date of decision: December 2, 2016

Vijay

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Anshumaan Dalal, Advocate  
for the petitioner.

Mr. Vikramjit Singh, Addl. A.G., Haryana,  
for the respondent(s)-State.

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**INDERJIT SINGH, J.**

Petitioner-Vijay has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.261 dated 17.06.2016 registered at Police Station Sampla, District Rohtak, under Sections 148, 149, 323, 307 of Indian Penal Code and Section 25 of Arms Act.

Notice of motion was issued in this case.

Mr. Vikramjit Singh, Addl. Advocate General, Haryana, has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner has been named in the FIR, but he was not stated to be armed with any specific weapon. Even no injury has been attributed to him. There is allegation that co-accused fired from the weapon towards Wazir and brother of the complainant, but they were not hit by the shot. The injury given by sharp

edge weapon has been attributed to co-accused Pawan, which has also been declared as simple one. Moreover, in pursuance of order dated 08.11.2016, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is accepted. The order dated 08.11.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

December 2, 2016

rajesh.k.khurana

**(INDERJIT SINGH)**  
**JUDGE**

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|---------------------------|---|-----|
| Whether speaking/reasoned | : | Yes |
| Whether Reportable        | : | No  |