

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

Date of decision : December 05, 2016

1. CRM-M No.42301 of 2016

Salim vs State of Haryana

2. CRM-M No.42320 of 2016

Munshi & another vs State of Haryana

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. SK Panwar , Advocate
for the petitioners.

Mr. Satish Saini, DAG Haryana

Mr. Karan Singh, Advocate
for the complainant.

Ajay Tewari, J (Oral)

This order shall dispose of the aforesaid two petitions.

The petitioners seek grant of anticipatory bail in case FIR
No.128 dated 24.9.2016, registered under Sections 148, 149, 452, 323,
325, 326 of the IPC, at Police Station Khizrabad, District Yamuna

Counsel for the petitioners has argued that one day prior i.e 23.9.2016, the petitioners side had lodged FIR No.126 under Sections 148, 149, 323, 324, 506 of the IPC because they had also received injuries but no action was taken by the police. Moreover, as per him, Israr to whom the solitary injury under Section 306 of the IPC was attributed has been arrested.

Counsel for the complainant, as well as learned DAG Haryana, on instructions from ASI Ram Kumar, have accepted the factum of FIR No.126 having been registered by the petitioners side. They have also accepted that the main accused Israr has been arrested. Counsel for the complainant has, however, argued that the injuries reported by the petitioners side have been found to be self inflicted.

At this stage, it would not be possible for me to return a finding on these contentious issues. Suffice it to say that there are cross cases registered against both the sides for having caused injuries to each other and the co-accused of the petitioner, namely, Israr who has caused the grievous injury has been arrested. In these circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners. Resultantly, these petitions are allowed and it is directed that in the event of their arrest, the petitioners shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to

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the compliance of the provisions as contained in Section 438(2) of the
Cr.P.C.

December 05, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No