

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

**CRM-M No. 5067 of 2016 (O&M)
Date of Decision: 05.04.2016**

Krishan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Dalbir Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail on behalf of the accused/petitioner-Krishan in case FIR No. 193, dated 08.12.2015, for offences punishable under Sections 148, 149, 323, 324, 341, 427, 506, Indian Penal Code and Sections 325, 326, Indian Penal Code added later on, registered at Police Station Guhla, District Kaithal.

It was submitted that petitioner was arrested and released on bail, however, due to subsequent addition of offence under Sections 325/326, Indian Penal Code, prayer for pre-arrest bail is made.

It is contended that injuries on the back of the head attracting the offence under Section 326, Indian Penal Code, is attributed to the co-accused Joga Singh, who already stands arrested and released on bail. As regards the present petitioner, he is attributed a *Danda* blow on the right knee of the complainant, resulting in a fracture and thereby attracting the offence under Section 325, Indian Penal Code, which is bailable.

Learned State Counsel, assisted by ASI Dalbir Singh, does not refute the aforesaid factual situation and further states that the petitioner is no longer required for custodial interrogation.

In view of the above, the interim protection/pre-arrest bail granted to the petitioner by this Court's order dated 11.02.2016, is made absolute.

Disposed of.

April 05, 2016

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**(JASWANT SINGH)
JUDGE**