

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

**CRM-M No. 5447 of 2016 (O&M)
Date of Decision: 05.04.2016**

Ashish

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sunil Panwar, Advocate
for the petitioner.

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

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-Ashish in case FIR No. 1131, dated 18.11.2015, for offences punishable under Sections 323, 324, 506, 34, Indian Penal Code (Section 307, IPC added later on), registered at Police Station Jhajjar, District Jhajjar.

As per allegations petitioner alleged to be armed with a knife inflicted four blows on the upper part of body of the injured Joginder, who is son of complainant-Satbir Singh

It is contended that petitioner was arrested and released on regular bail on 27.11.2015. However, on a vague and false opinion of the Doctor obtained on 15.01.2016 to the effect that the injuries "could be dangerous to life" arrest is sought to be made. It is further contended that a false case has been foisted upon the petitioner as would be apparent from the fact that the injured inspite of being fit to make statement refused to do so leading to the

complainant being introduced as an eye witness. Petitioner is stated to be a student of BA Ist Year.

Learned counsel for the petitioner submits that pursuant to order dated 15.02.2016, passed by this Court, the petitioner has since joined the investigation and fully cooperated.

Learned State Counsel, assisted by ASI Sudhir Kumar, admits that the petitioner was arrested and had joined the investigation earlier and the weapon of offence stood recovered. He 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 17.02.2016, is made absolute.

Disposed of.

April 05, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**