

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

**C.R.M-M No.8881 of 2016 (O&M)
Date of Decision : 22.07.2016**

Akshvender

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. S.K.Sharma, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Additional A.G., Haryana.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

On 14.03.2016 the following order was passed :-

“Prayer is for grant of anticipatory bail on behalf of the petitioner/accused-Akshvender in case FIR No.61 (wrongly mentioned as FIR No.62) dated 03.02.2016, under Sections 147, 149, 323, 427, 506, 34, IPC and Section 25 of the Arms Act, registered with Police Station Sector 7, Faridabad, District Faridabad.

It is submitted that both the complainant-Kuldip Singh and the present petitioner/accused-Akshvender are enrolled as Advocates and also distant relatives.

The complainant has levelled similar allegations on previous date wherein the petitioner/accused was granted anticipatory bail or were quashed on compromise.

As per the allegations, the petitioner/accused along with four other unknown co-accused waylaid the complainant while he was in his Audi Car and the petitioner/accused is alleged to have pointed out a Pistol towards the complainant.

It is alleged that the complainant is admittedly accompanied by Gunmen and even if the allegations are taken on the face value, it is highly improbable that the occurrence has occurred in the stated manner. That apart, it is a case of no injury.

Notice of motion for 02.05.2016.

In the event of arrest, the petitioner shall be released on interim bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/trial Court. The petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

Learned Additional Advocate General, on instructions from ASI Pardeep Kumar, accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 14.03.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

22.07.2016
pooja sharma-I

(AJAY TEWARI)
JUDGE