

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

Crl. Misc. No.M-10497 of 2017 (O&M)

Date of Decision: July 20, 2017

Baljeet

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Manish Soni, Advocate
for the petitioner (s).

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.80 dated 10.06.2016 registered for the offences punishable under Sections 323, 325, 307 read with Section 34 of Indian Penal Code at Police Station Bawal, District Rewari.

Heard.

As per case of the prosecution, the occurrence took place on 03.06.2016 when Lokesh son of Anand was caused injuries by Dalip son of Raj Singh and petitioner-Baljeet son of Dalip Singh. He had suffered three injuries out of which one was declared grievous.

Learned counsel for the petitioner submits that its a cross version case. FIR No. 76 dated 06.06.2016 was got registered by Dalip Singh regarding the injuries caused to him and petitioner Baljeet by Lokesh and Deepak. The petitioner had suffered injuries on his hand, where entire skin of part of hand was chopped of Dalip Singh, who is the main accused

in this case, has already been released on bail as Lokesh refused to get himself medically examined despite order passed by the Court.

Learned State counsel submits that the complainant, in his supplementary statement, has attributed his injuries to the petitioner, which were caused by him using a piece of cloth in which he had tied glass and stone.

From the medical report of complainant, Learned State counsel could not point out any injury on the person of complainant which had been caused using stone and glass tied in a piece of cloth. Main accused Dalip Singh has already been allowed bail and it is case of a cross-version where both the parties have alleged each other as aggressor. This petition is allowed and the petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on pre arrest bail till the presentation of challan, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of bail allowed to him and will seek regular bail on presentation of challan.

It is also made clear that in the event the petitioner failing to join the investigation, he will lose the benefit of pre-arrest bail allowed to him.

July 20, 2017
Jyoti-II/Sachin M.

(SURINDER GUPTA)
JUDGE

whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No