

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

**CRM No.M-1530 of 2017 (O&M)
Date of Decision: 24.03.2017**

Sukhdev Singh @ Kala

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Lakhwinder Singh, Advocate for the petitioner.

Mr. C.S. Bakshi, Additional Advocate General, Haryana.

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.372, dated 11.09.2016, under Sections 148/149/323/324/341/506 IPC (Sections 325/326 IPC added subsequently), registered at Police Station Bhuna, District Fatehabad.

While issuing notice of motion, the following order was passed by this Court on 19.01.2017:

“The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.372 dated 11.09.2016 registered under sections 148, 149, 323, 324, 341, 506 I.P.C (Sections 325, 326 I.P.C added later on) at Police Station, Bhuna, District Fatehabad.

Counsel would submit that the FIR in question has been registered on the statement of injured Veer Bhan son of Basakhi Ram. Even as per version of the complainant in the occurrence that took place on 09.09.2016 specific role/injuries have been attributed to Balwant Singh and Jagir Singh, non-applicants, who

were stated to have been armed with sharp edged weapons and having caused injuries, which in turn has attracted offence under Section 326 I.P.C. Further contended that no specific injury has been attributed to the present petitioner. Rather his name does not even figure in the FIR. Counsel further submits that the petitioner is sought to be implicated merely on the basis of a disclosure statement of a co-accused.

Notice of motion, returnable for 24.03.2017.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instruction from SI Kumblu has apprised the Court that the petitioner has since joined investigation. That apart, the observations made by this Court in the notice of motion order have gone un rebutted.

Accordingly, prayer made in the instant petition is accepted. Order dated 19.01.2017 passed by this Court is made absolute.

Disposed of.

24.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |