

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

CRM-M No.16231 of 2017
Date of decision: 24th May, 2017

Gopal and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Shyam S. Chhokar, Advocate for the petitioners.
Mr. Deepak Sabharwal, Addl. Advocate General, Haryana
for the respondent/State.
Mr. Gurbir S. Sidhu, Advocate for the complainant.

FATEH DEEP SINGH, J. (ORAL)

Learned State counsel has made statement that Gopal and Ravinder petitioners No.1 and 2 respectively have since then arrested, and thus, the present petition seeking anticipatory bail qua them has been rendered infructuous.

Faced with this situation, learned counsel for the petitioners on instructions from his client wishes to withdraw the present petition qua petitioners No.1 and 2 namely Gopal and Ravinder.

Allowed to do so. The petition stands dismissed as withdrawn qua petitioners No.1 and 2. A note to this effect be given in the file.

Allegations against the petitioner Hanuman Dass in this anticipatory bail application under Section 438 Cr.P.C. in case bearing

FIR No.0394 dated 25.04.2017 under Sections 148/149/323/324/452/506 IPC pertaining to Police Station Hisar City, District Hisar are that on 24.04.2017 he along with his co-accused Gopal and Ravinder alias Munna are alleged to have assaulted the complainant side with iron rods and sticks hitting Jagdish and Shubham alias Sonu.

Contentions of learned counsel for the petitioner Mr. Shyam S. Chhokar, Advocate are that no specific role has been attributed to petitioner Hanuman Dass and nothing is to be recovered from him and that all the injuries have been opined to be simple in nature.

Though on behalf of the State, Mr. Deepak Sabharwal, Addl. Advocate General, Haryana assisted by Mr. Gurbir Singh Sidhu, Advocate representing the complainant have sought to oppose grant of bail on the grounds that injuries by means of a butcher's knife have been caused and thus, the petitioner is not entitled to any relief.

Appreciating the submissions, in view of the allegations against the petitioner Hanuman Dass and in the light of the fact that nothing is to be recovered and no role is attributed to him in commission of the offence and sending him behind the bars would be a travesty of justice, impels this Court to allow the prayer. Accordingly, in the event of arrest, petitioner Hanuman Dass is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions

specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 24, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No