

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

**Crl. Misc. No.M-17907 of 2017 (O&M)
Date of Decision: August 23, 2017**

Gian Singh and another

.....PETITIONER(s).

VERSUS

State of Haryana

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ashwani Chaudhary, Advocate for
Mr. S.S. Nara, Advocate
for the petitioner (s).

Mr. Ashish Yadav, Addl. A.G., Haryana.

Mr. Sanjeev Majra, Advocate for
Mr. R.S.Dhull, Advocate
for the complainant.

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. 108 dated 05.04.2017 registered for the offences punishable under Sections 323, 324, 452, 506, 326 read with Section 34 of Indian Penal Code at Police Station Pundri, District Kaithal.

Heard.

Learned State counsel submits that both the petitioners have joined the investigation. As per the police investigation, petitioner No.2-Afsar is not required for further investigation. However, the custodial interrogation of petitioner No.1-Gian Singh is required to recover *Gandasi*

with which he caused injuries on the right hand of the complainant, which has been declared as grievous in nature.

It was discussed in detailed in previous order dated 19.05.2017 that the Medical Board has given opinion that there is possibility of injury No. 2 on the person of complainant, which was declared as grievous, being caused by friendly hand. There is nothing that the police sought any further clarification from the Medical Board in this regard.

Keeping in view the above fact, but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 19.05.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

August 23, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***