

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2390 of 2017 (O&M)

Date of Decision: 24.03.2017

Ram Chand

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Jammu, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

CRM-9961-2017

This is application for addition of Section 307 IPC in headnote and relief clause of the petition as the police has added the offence punishable under Section 307 IPC in place of Section 326 IPC during investigation in case FIR No. 154 dated 18.12.2016, registered at Police Station Odhan Sirsa.

For the reasons mentioned in the application, which is supported by affidavit, the same is allowed.

Necessary entry in this regard be made in headnote and relief clause of the petition by the Registry.

CRM-M-2390-2017

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. 154 dated 18.12.2016 registered for offences punishable under Sections 148, 149, 323, 324, 325, 307, 341, 427, 506 of Indian Penal Code

(for short 'IPC'), at Police Station Odhan, Sirsa, District Sirsa. (Sections 325 and 427 IPC were added and Section 452 IPC was deleted later on. Section 326 IPC was converted into Section 307 IPC during investigation).

Heard.

Learned State counsel on instructions from ASI Avtar Singh submits that the petitioner has joined the investigation and his custodial interrogation is no more required.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and order dated 25.01.2017 is made absolute till the presentation of challan, subject to the following terms:-

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

March 24, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No