

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

Crl. Misc. No. M-25834 of 2017

Date of Decision : September 20, 2017

Joginder @ Jugan Petitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

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Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

Mr. J.S.Hooda, Advocate
for the complainant.

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LISA GILL, J. (Oral)

The petitioner seeks the concession of anticipatory bail in FIR No. 56 dated 08.05.2017 under Sections 323/354(B)/452 IPC registered at Women Police Station, Palwal.

It is submitted that there is a delay of 96 days in lodging of the FIR. No injury was found on the ear of the complainant as alleged. Moreover, the petitioner has joined investigation. He undertakes to face trial and not abuse the concession of anticipatory bail in any manner if granted to him. Therefore, this petition be allowed.

Learned counsel for the complainant submits that an injury is noted on the left ear of the complainant. However, he is unable to deny that

the medico-legal report of the complainant reveals complaint of pain in the left ear. There is no such injury which indicates rupture of the ear as mentioned in the FIR.

Learned counsel for the State, on instructions from ASI Mahabir Singh, affirms that the petitioner has indeed joined investigation pursuant to order dated 03.08.2017 passed by this Court and his custodial interrogation is not required. No recovery is to be effected from him. It is verified that he is not involved in any other case. There is no allegation that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition. Consequently, order dated 03.08.2017 is made absolute.

20.09.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No