

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

CRM-M-28607-2017

Date of decision: 22.09.2017

Happy

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Pratham Sethi, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Vijay Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.(Oral)

Petitioner-Happy has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.167 dated 08.05.2017, registered at Police Station Safidon, District Jind, under Sections 148, 149, 323, 324, 341 and 506 IPC and Section 326 IPC added later on.

Notice of motion was issued. Learned State counsel has appeared on behalf of respondent-State and complainant has also appeared through his counsel. They contested the instant petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, only *lalkara* has

been attributed to the present petitioner.

In pursuance of the interim order dated 08.08.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No injury has been attributed to him. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 08.08.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

22.09.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No