

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

Criminal Misc. No.M-29000 of 2017(O&M)

Date of Decision: November 24, 2017.

Om Parkash

Petitioner.

Versus

State of Haryana

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Mr.Anmol Malik, AAG, Haryana.

Mr. Badal Malik, Advocate
for Mr. S.R.Hooda, Advocate
for the complainant.

LISA GILL, J.

Petitioner seeks the concession of anticipatory bail in FIR No 63 dated 26.03.2017, under Sections 148, 149, 323, 452, 506, 354-B, 307 IPC, registered at Police Station Mullana, District Ambala.

It is submitted that the petitioner has been falsely implicated in this case being the Sarpanch of the village. As per the allegations in the FIR, no specific injury has been attributed to the petitioner-Om Parkash attracting the rigours of Section 307 IPC. The complainant's daughter suffered one injury on her head due to which Section 307 IPC was added. The complainant's daughter suffered only one injury. The said injury is attributed to co-accused Mehama Singh, who is in custody. It is submitted that pursuant to order dated 17.08.2017 passed by this Court, the petitioner has joined investigation. He undertakes to face the proceedings. Therefore this petition be allowed.

Pursuant to order dated 21.09.2017, a photocopy of the case

summary in respect to the injured girl i.e. daughter of the complainant produced in Court today is taken on record subject to just exceptions. It is specifically mentioned therein that there is a doubtful history of loss of consciousness during assault. There is no history of unconsciousness at the time of admission or of ENT bleed or vomiting. During hospitalization patient was fully conscious, oriented to time, place and person.

Learned counsel for the State, on instructions from SI Rameshwar Nand, verifies that the petitioner is not involved in any other criminal case. It is affirmed that he has joined investigation and his custodial interrogation is not required. Mehama Singh along with five others are in custody.

There are no allegations on behalf of the State that the petitioner is likely to abscond, if released on bail.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 17.08.2017, is made absolute.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

24.11.2017
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.