

CRM-M-39111-2017

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

CRM-M-39111-2017

Date of Decision: 15.11.2017

Deepak and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Munish Behl, Advocate,
for the petitioners.

Mr. Kuldeep Sharma, DAG, Haryana.

Mr. Pardeep Goyal, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Deepak and Mohit have 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.978 dated 08.09.2017, registered at Police Station Faridabad Central, District Faridabad, under Sections 323, 452 and 506 of IPC and Sections 147, 149, 324, 326 and 427 of IPC added later on.

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

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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 prosecution version, the petitioners are named in the FIR, but they are not stated to be armed with any weapon. The general allegations are levelled.

As per the State counsel, petitioner No.2-Mohit gave the injury on the hand with glass. Second injury is also stated to be simple in nature.

Moreover, the occurrence took place on 23.07.2017, but FIR, in the present case, was registered on 08.09.2017.

In pursuance of the interim order dated 13.10.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them 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 13.10.2017, granting interim bail to the petitioners, is made absolute. However, the petitioners 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.

15.11.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No