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

CRM-M-41608 of 2016

Date of decision: February 13, 2017

Harkesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. G.S. Bedi, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

Mr. Rajesh Gupta, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties including
learned counsel for the complainant.

In FIR No.29 dated 01.02.2016, under Sections 148, 149,
323, 341, 379 of Indian Penal Code, 1860, registered at Police Station
Farrukhnagar, the petitioner seeks anticipatory bail. This Court had
made an order dated 21.11.2016 granting *ad interim* anticipatory bail
to the petitioner.

Learned counsel for the complainant has shown me the
photographs as to the injuries caused to the victim by the group of
persons including the petitioner. He also submits that other accused
persons have released on regular bail, but the petitioner now seeks
anticipatory bail after 11 months.

Learned counsel for the petitioner submits that the

petitioner is working with Indian Army in the State of Assam and is still working there.

In my opinion, looking to the whole background, it would be appropriate to continue the *ad interim* anticipatory bail order made by this Court, but the petitioner will have to bear costs of litigation atleast to the extent of ₹25,000/-. Learned counsel for the petitioner, on instructions from the petitioner, states that the petitioner shall deposit demand draft in the sum of ₹25,000/- in favour of the complainant, namely Deepak, with the trial Court concerned.

In that view of the matter, I make the following order:

ORDER

- (i) Interim order dated 21.11.2016 granting *ad interim* anticipatory bail to the petitioner is made absolute, subject to the condition that the petitioner will deposit demand draft of ₹25,000/- in favour of the complainant with the trial Court concerned, as agreed by the petitioner himself, within a period of 6 weeks from today;
- (ii) Upon failure of depositing ₹25,000/- with the trial Court concerned as above, this order shall come to an end and the police shall be entitled to arrest the petitioner;
- (iii) Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

February 13, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No