

complainant by a blunt weapon. He further submits that the petitioner has joined investigation and no further recoveries are to be made from him as the baseball bat has already been allegedly recovered.

Learned State counsel opposes the grant of anticipatory bail on the ground that as per the FIR, the petitioner, along with his co-accused, has inflicted serious injuries on the complainant.

The fact, whether any injury was inflicted by the petitioner, is debatable. The same would be deciphered during the trial. The petitioner has already joined investigation and learned State counsel admits that no further recovery is to be made from him. It is further not disputed that there is no other criminal case pending against him. The trial, which is yet to start, is likely to take a long time to conclude.

In view of the above, the petition is allowed and the order dated 28.11.2016 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the conditions prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered as an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

February 02, 2017
monika

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>