

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

CRM-M-4230 of 2017 (O&M)

Date of decision: 27.03.2017

Shiv Kumar @ Shiva

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Parminder Singh, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 06 dated 02.01.2017, registered under Sections 148, 323, 324, 353, 326 and 307 read with Section 149 of IPC, at PS Gharaunda, District Karnal.

It is contended that in pursuance of order dated 09.02.2017, the petitioner has joined the investigation.

On the other hand, the learned State counsel submits that though the petitioner has joined investigation, however, the presence of the petitioner is duly made out in the CCTV footage installed at CHC Gharaunda. When injured Rajesh and Tarsem were getting the medical aid at CHC Gharaunda for injuries caused by the assailants, including

the petitioner, the same persons came to the hospital and again caused injuries to them.

Heard.

As per record, the petitioner in the alleged occurrence, the petitioner caused injuries to one Tarsem. The incident occurred in the area of village Kalram; when the injured were removed to hospital, the assailants caused such injuries to Rajesh which fall under the ambit of Section 307 of IPC. The complainant in the present FIR is Dr. Kulbir Singh, SMO, CHC Gharaunda. A separate FIR No. 3 dated 02.01.2017, under Sections 323, 324 read with Section 34 of IPC stands registered at PS Madhuban against the petitioner for causing injuries to the injured before they came to the hospital. Keeping in view the above, no case for pre-arrest bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

27.03.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No