

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

CRL. MISC. No.M-45850 OF 2017 (O&M)
DATE OF DECISION : 16th DECEMBER, 2017

Sumit

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. M. K. Dogra, Advocate for the petitioner.

Mrs. Tanisha Peshawaria, DAG Haryana.

* * * *

A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.39 dated 02.02.2017 registered under Sections 148, 149, 323 & 506 IPC (later on added Section 307 IPC) at Police Station Chandimandir, District Panchkula.

Rule.

Heard forthwith with consent of counsel for the rival parties.

Pursuant to order of the preceding date learned State counsel placed on record the medico-legal report.

The petitioner is working in Indian Army. Thus he is in service. The allegation against the petitioner is that he stabbed twice on the stomach and on the lower part of the body of the complainant. The complainant received injuries. I have perused the medical report also. Be that as it may. Since the complainant has been discharged from the hospital, there is no point in declining the concession of anticipatory bail to the petitioner. However, the petitioner will have to pay a

compensation to the complainant. In that view of the matter, I make the following order:

ORDER

- (i) Rule is made absolute in terms of the prayer.
- (ii) The petitioner is directed to join the investigation and fully cooperate with the Investigating Officer/Arresting Officer. In the event of arrest, the petitioner shall be released on *ad-interim* anticipatory bail in FIR No.39 dated 02.02.2017 registered under Sections 148, 149, 323 & 506 IPC (later on added Section 307 IPC) at Police Station Chandimandir, District Panchkula, on furnishing of his bail bonds amounting to ₹10,000/- with one surety in the like amount to the satisfaction of the Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.
- (iii) The petitioner has to prepare a demand draft amounting to ₹10,000/- within two weeks from today. The demand draft is to be handed over to the investigating officer for handing over it to the complainant.
- (iv) The petitioner to surrender his passport with the trial Court, if he possesses the same.
- (v) Any further failure on the part of the petitioner shall result into trial Court taking him in custody.

16th DECEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No