

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 205

CRM-M-46752-2016
Decided on : 08.02.2017

Akhtar

..... Petitioner(s)

VERSUS

State of Haryana

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Namit Khurana, Advocate, for the petitioner(s).

Mr. Munish Bansal, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr. P. C., the petitioner seeks the concession of anticipatory bail in FIR No. 247, dated 03.12.2016, registered under Sections 323, 324, 326, 341 and 506 IPC read with Section 34 IPC, at Police Station Chhachhrauli, District Yamuna Nagar.

As per the prosecution case, the injured was waylaid by the petitioner alongwith Ashraf and Irshad. While Ashraf inflicted grievous injuries, the petitioner is alleged to have inflicted simple injuries by giving kicks and fist blows to the complainant. They are then stated to have fled away from the spot.

Learned counsel for the petitioner submits that the petitioner is 56 years old; has been attributed simple injuries; nothing is to be recovered from him; that in pursuance to the ad-interim anticipatory bail granted to the petitioner by this Court on 28.12.2016, he has joined investigation; that there is no other criminal case pending against him and that he has been falsely implicated at the instance of the complainant whose sister is married to the petitioner's son without the consent of the complainant.

Learned State counsel opposes the bail on the ground that the other accused are still to be apprehended and recoveries are yet to be made from them.

After considering the above submissions and without commenting on the merits of the matter, I am of the considered view that the petitioner deserves to be granted the concession of anticipatory bail.

In view of the above, the petition is allowed and the order dated 28.12.2016 granting ad-interim anticipatory bail to the petitioner is made absolute.

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

08.02.2017
shamsher

[DEEPAK SIBAL]
JUDGE

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