

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

**CRM-M No.16933 of 2018
Decided on: 18.08.2018**

Vikas @ Shama

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vimal Kumar Gupta, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.162 dated 04.03.2018, registered under Sections 148, 149, 323, 427, 452 and 506 IPC at Police Station City Jagadhri, District Yamuna Nagar.

The operative part of the order dated 27.04.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that as per allegation in the FIR, the brother of the petitioner, namely, Vishal, who is husband of the daughter of the complainant, namely, Aprana, is serving in Army. When Aprana come back in the month of March, for the purpose of her delivery, the mother of the petitioner-Krishna Devi, being a chronic patient, suggested that delivery of child be conducted at her parental home. On 02.03.2018, the petitioner and his mother were standing in front of their house. At that time, son of the complainant came in a drunken state and started abusing the applicant and his

mother and thereafter, when other family members came at the spot and every one started beating each other and caused injuries.

Counsel for the petitioner further submits that the petitioner was medico legally examined on the same day at 6.00 p.m. and 3 injuries were found on his body and at the same time, mother of the complainant was also examined in Civil Hospital, Jagadhari.

Learned counsel for the petitioner submits that though a complaint has been given by the mother of the petitioner for registering a cross-case, only DDR has been registered and no further action has been taken by the police. It was a case of sudden fight and the parties have suffered and during the course of trial, it will be decided which party was an aggressor party.

The petitioner is directed to appear before the Investigating Officer to join the investigation or any other date as given by the investigating officer and he shall be released on interim bail subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;

2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

3. He shall not leave India without previous permission of the Court.

List again on 18.08.2018.”

Counsel for the petitioner submits that the petitioner, in pursuance to the order dated 27.04.2018, has already appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from HC Arun Kumar, has not disputed the factual position and submits that the

petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 27.04.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

18.08.2018
yakub

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