

CRM-M-17970-2018

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

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Date of Decision:10.08.2018

Sumit Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ankit Gautam, Advocate for
Mr. Kuldeep Singh, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner-Sumit Kumar has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.397 dated 29.11.2017, registered at Police Station Naraingarh, District Ambala, under Sections 326, 324, 506, 148 and 149 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present petitioner is not named

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investigation, he has been nominated in the present FIR and stated to be armed with *danda*. The grievous injury under Section 326 IPC has been attributed to co-accused, Pardeep.

In pursuance of the interim order dated 31.05.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 31.05.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

10.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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