

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

**CRM-M-21100-2018
Date of decision: 18.09.2018**

Roshan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 2 dated 11.01.2018, registered under Sections 148, 149, 323, 307, 325, 452 and 506 of the IPC at Police Station Khizrabad, District Yamuna Nagar.

The operative part of the order dated 17.05.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that as per allegations in the FIR, injuries to one Kaushar were attributed to Roshan son of Jamil and the Additional Sessions Judge, while dismissing the application, has wrongly presumed that the petitioner has caused injuries. Counsel for the petitioner has drawn reference to the FIR, where specific role has been attributed to other coaccused and only allegations against the petitioner is that he along with some other co-accused had thrown stones on the complainants. Counsel for the petitioner further submits that the petitioner is not resident of the village, where the occurrence has taken place and daughter of the petitioner is married to son of co-accused Saleem, with whom the

complainants had dispute and on that account, petitioner has been falsely implicated in the present FIR. Notice of motion for 18.09.2018. ”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.05.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Shamsher Singh, 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 17.05.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

September 18, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*