

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.205

CRM-M-25460-2018
Date of decision : 13.06.2018

Parveen Kumar

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Gaurav Rana, Advocate, for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in FIR No.253 dated 30.05.2018, registered at Police Station Beri, Jhajjar, under Sections 307, 34, 341, 506 IPC.

2. Learned counsel for the petitioner submits that the alleged injury caused to the complainant was on account of the fire-arm used by co-accused- Sudhir. No injury is attributed to the petitioner. Moreover, section 307 IPC is not attracted. The injury suffered by the complainant is not life threatening.

3. Learned State counsel opposes the grant of anticipatory bail. He submits that the petitioner was co-accused and had the common intention of causing injuries to the complainant. Thus, the petitioner is equally liable as co-accused.

4. Having heard learned counsel for the parties I am of the view that prima facie offence under Section 307 IPC, is not attracted. Keeping in view the facts and circumstances of the case, custodial interrogation of the petitioner is not required.

6. Accordingly, the petition is allowed. Petitioner-Parveen Kumar is directed to join the investigation in the first instance on 20.06.2018 at 10.00 A.M.

and thereafter as and when required by the investigating agency. In case of his arrest, he shall be released on anticipatory bail on his furnishing bail and surety bonds to the satisfaction of the Investigating Officer/Arresting Officer/S.H.O. concerned subject to his compliance of provisions enshrined under Section 438 (2) Cr.P.C.

7. Expression of opinion hereinabove shall have no bearing on merits of the case.

(SUDHIR MITTAL)
JUDGE

13.06.2018
Manju

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No