

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2789 of 2018

Date of Decision: 12.09.2018

Sanjeet

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Shehbaz Thind, Advocate
for Mr. Anurag Arora, Advocate
for the petitioner.

Ms. Dimple Jain, A.A.G., Haryana

Mr. Kartar Singh Malik (I), Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.326 dated 29.10.2017 registered for offences punishable under Sections 148/149/323/324/341/506 of Indian Penal Code, at Police Station Julana, District Jind. (Offences punishable under Sections 325/326 IPC were added later on).

Heard.

Learned State counsel on instructions from SI Suresh Kumar submits that the petitioner has joined the investigation but weapon of offence i.e. *farsa* has not been recovered. However, investigation is complete. Challan against co-accused has already been filed while final report against the petitioner is yet to be filed.

Learned counsel for complainant submits that the petitioner is

main accused, who has been attributed injuries caused on the person of

Jaideep. Being main accused, he cannot be allowed anticipatory bail.

Keeping in view the fact that investigation in this case has been completed, custodial interrogation of petitioner is not required and police has to file challan against the petitioner, this petition is allowed and order dated 23.01.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

September 12, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No