

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

**CRM-M-46998-2018
Date of decision:31.10.2018**

Rajwinder Singh and another

....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Aditya Sanghi, Advocate
for the petitioners.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.533 dated 01.10.2018 under Sections 323, 379, 452, 506, 34 of Indian Penal Code, 1860, Police Station Ratia, Fatehabad.

The FIR was registered at the instance of Kuldeep Singh who has alleged that on the day of occurrence when he was sitting in his mobile repair shop where his assistant Harvinder Singh was also present, then Rajwinder Singh and Deepu and one young boy came there and upon entering Deepu and the said young boy caught hold of him while Rajwinder inflicted blow with an iron rod on his head as a result of which he fell down. It is further alleged that an amount of ₹30,000/- fell out from his pocket and upon alarm raised by Harvinder Singh, the aforesaid accused ran away from the spot along with ₹30,000/-.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that in fact the shop where the occurrence allegedly took place is being run by the petitioners and that the same is reflected in the income tax return and a copy thereof is annexed as Annexure P-3.

On the other hand, learned State counsel has submitted that the MLR clearly shows that one injury has been sustained by the complainant on his head, although simple in nature, and under these circumstances the petitioners do not deserve the concession of bail.

Having considered the rival submissions addressed before this Court and the fact that it is case of solitary injury on the head of the complainant which has been declared as simple in nature, in my opinion, it is a fit case for grant of anticipatory bail. The petition as such, is accepted. In the event of arrest of the petitioners, they shall be released on bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition is accepted in the above mentioned terms.

31.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**