

Sr. No.290

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

CRM No. M-47114 of 2017 (O&M)

Date of Decision: 29.01.2018

Sharad

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Shavetanshu Goel, Advocate for
Mr. Rishabh Gupta, Advocate,
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.614 dated 17.11.2017, under Sections 323, 324, 506, 34,326 (added later on) of IPC, registered at Police Station Palam Vihar, District Gurugram.

While issuing notice of motion, the following order was passed by this Court on 11.12.2017:-

“Present petition under Section 438 Cr. P.C. Is for grant of pre-arrest bail to the petitioner in case FIR No.614 dated 17.11.2017, under Sections 323, 324, 506, 34, 326 (added later on) of Indian Penal Code, registered at Police Station Palam Vihar, District Gurugram.

Learned counsel for the petitioner

contended that petitioner had not caused any injury to anybody and he has been implicated only because of his presence on the spot. Otherwise also, both the parties to the litigation are ready to settle the matter.

Learned counsel further contended that petitioner is ready to join the investigation.

Notice of motion.

On the asking of Court, Mr. Satish Saini, DAG, Haryana, accepts notice on behalf of respondent-State.

Ms. Shreya Vashishtha, Advocate has put in appearance on behalf of respondent No.2 and filed vakalatnama, which is taken on record.

Learned counsel for respondent No.2 affirms the factum that compromise has been effected between the parties.

List on 29.01.2018.

Meanwhile, petitioner is directed to join the investigation. In the even of arrest, petitioner shall be released on interim bail to the satisfaction of the Arresting Officer. He shall join investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from SI Sakender Kumar apprises the Court that petitioner has since joined investigation.

He further states that the offending vehicle has been recovered from the present petitioner.

It has however gone uncontroverted that the petitioner has not caused any injury and has been implicated on account of

his presence at the spot.

Under such circumstances, custodial interrogation of the petitioner is not warranted.

Petition is allowed. Order dated 11.12.2017, passed by this Court is made absolute.

Disposed of.

29.01.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No