

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49872-2018

Date of Decision: 14.12.2018

Ajay @ Monia Fauji

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Ajay @ Monia Fauji has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.147 dated 09.06.2018, registered at Police Station Nangal Chaudhari, District Mahendergarh, under Sections 323, 34 and 506 of the Indian Penal Code and subsequently, added Section 452 of the IPC and further added Section 325 of the IPC.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The allegation against the present petitioner is that he was stated to be armed with an axe. He had given beating to the complainant on the back, but there is no specific allegation that he had given the beating with the axe.

In pursuance of the interim order dated 15.11.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 15.11.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No