

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-6215-2018(O&M)
Date of Decision: 26.03.2018

Deepak

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Atul Yadav, Advocate for the petitioner.

Mr. S.K. Saini, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.172 dated 30.4.2017 under sections 323, 325, 365, 506, 34 I.P.C, registered at Police Station, Bilaspur, District Gurugram.

Learned counsel for the parties have been heard.

Briefly noticed, FIR came to be registered on the statement of Sidhant son of Ram Singh in relation to an occurrence dated 29.4.2017. Complainant's version is that he was physically assaulted and beaten up by co-accused Vikas, Vishal as also 6 other unnamed assailants.

It has gone uncontroverted that the injury that has attracted offence under Section 325 I.P.C is specifically attributed to Vishal (non-applicant) and who has alleged to have delivered a *danda* blow on the right leg of the complainant.

In so far as the present petitioner is concerned, even though, not named in the FIR, the attribution is of *lathi/danda* blow on the back of complainant. Such injury has been opined to be simple in nature.

Main accused Vishal and Vikas upon arrest have been granted benefit of regular bail.

Co-accused Harsh and against whom there were similar allegations, has been granted concession of pre-arrest bail.

Learned State counsel upon instructions from ASI Lokesh Kumar would apprise the Court that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 16.2.2018, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

26.03.2018

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No