

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

CRM-M-9564-2018

Date of decision: 17.04.2018

Surender alias Doctor

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Gagandeep Kaur, Advocate, for
Mr. Aakash Singla, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 43 dated 24.01.2018 registered under Sections 148, 149, 323, 354, 452, 506 IPC and Section 307 IPC added lateron, at Police Station Rai, Sonapat.

This Court was pleased to pass the following order on 08.03.2018 :-

“Heard.

Learned counsel for the petitioner inter alia contends that the only injury attributed to the petitioner herein is that he gave kick and fist blows, apart from the general allegations. It is also argued that in the same scuffle, the petitioner too and his brother sustained injuries, as would be evident from Annexure P-2. In this regard, a complaint has already been registered online to SP, District Sonapat (Annexure P-3). It is further submitted that on account of the said injuries, the

petitioner remained admitted in the hospital for two days.

Notice of motion for 17.04.2018.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Appearance has been caused by Mr. Sukhdeep Singh Parmar, Advocate, on behalf of the complainant by filing power of attorney, who vehemently opposes the grant of anticipatory bail on the ground that grievous injuries have been caused by the petitioner while also submitting that subsequent to the interim order passed on 08.03.2018, the petitioner herein has threatened the complainant and in this regard a complaint has also been addressed to the local authorities.

Ms. Gaganpreet Kaur, learned AAG, Haryana, on instructions from ASI Sri Niwas, confirms the factum of joining investigation by the petitioner herein and submits that a request has already been received in which it has been stated that no action should be taken on the complaint so received.

I have heard learned counsel for the parties.

Keeping in view the fact that the petitioner has joined the

investigation, the petition is allowed and interim order dated 08.03.2018 is

hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

17.04.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.