

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-453-2019 (O&M)
Date of Decision : 21.1.2019

Abhishek

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 711 dated 01.12.2018 registered under Sections 148, 149, 307 IPC and Section 25-54-59 of Arms Act, 1959 at PS City Yamuna Nagar, District Yamuna Nagar.

The allegations against the present petitioner was that he accompanied accused Vikas @ Shubham and beaten up the complainant and even shots were fired at the complainant.

Counsel for the petitioner has argued that no shot has been fired by the petitioner except that he was present there. Counsel further states that a false case has been foisted upon him and even CCTV footage shows that the petitioner was present there but no overt act has been done by him.

Learned AAG on instructions from SI Om Parkash states that another case was also registered against the petitioner. However counsel for

the petitioner states that petitioner was acquitted in that case and this fact is accepted by the learned AAG.

In the circumstances, without commenting on the merits of the case, the petition is allowed. In the event of arrest of the petitioner he will be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438 (2) Cr.P.C. The petitioner is directed to appear before the Investigating Officer as and when his presence is required. In case the petitioner does not appear before the Investigating Officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

21.1.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No