

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6219 of 2019 (O&M)
Date of decision : 21.02.2019

Sushil Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Anuj Balian, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in FIR No.140 dated 14.11.2018 registered under Sections 148/149/323/324/341 IPC at Police Station Raipur Rani.

As per the allegation the complainant was waylaid by the petitioner and some other persons and caused injuries. The argument of the counsel for the petitioner is that the injury which was attributed to the petitioner is not reflected in the MLR because as per the FIR 3 persons had caused injuries to the complainant on his head with sharp edged weapon and the injury which was inflicted by the petitioner was behind the ear.

Learned State counsel on instructions from Investigating Officer has accepted that there is only one injury on the head and has accepted that all the other co-accused were arrested and had been released

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of 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 on 01.03.2019 and on any other date as and when his presence is required.

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

21.02.2019

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No