

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

CRM No.M-7432 of 2019 (O&M)

Date of Decision: March 19, 2019

Jamshed

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vishwajeet Singh, Advocate
for the petitioner.

Mr.Sharad Kumar Yadav, DAG, Haryana
for the respondent-State.

Mr.Chetan Kajla, Advocate for
Mr.Sumit Gupta, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.533 dated 17.09.2017 under Sections 323, 341, 379-A, 506 and 34 IPC, registered at Police Station City Palwal (later on Section 379-A IPC has been deleted and Section 379-B IPC has been added).

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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

From the record, I find that FIR in the present case has been got registered by Asgar Ali, in which it is stated that accused including present

petitioner, gave him beatings by kick and fist blows and they have also snatched ₹1,50,000/- from him. On the other hand, learned counsel for the petitioner has placed on record document Annexure P-1 relating to Meo Samaj Sajag Samiti, which is dated 16.07.2017. As per this document, there was dispute between Asgar Ali and Sajid and others regarding money transaction. The FIR has been registered on 17.09.2017 and this document is more than two months earlier to the registration of the FIR. Again, an application was given against Asgar Ali, who is complainant in the present case, by Rahul Sharma. This application was also given more than 13 days prior to the registration of the FIR, in which Rahul Sharma and Sajid Khan have asked for protection of their life and property and also asked for taking action. A criminal complaint was also filed by Rahul Sharma against Asgar Ali under Sections 420, 406 and 506 IPC, though, after registration of the present FIR.

The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending and keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 27.02.2019 granting interim bail to the petitioner, is made absolute.

March 19, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No