

CRM-M-16613-2019

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

CRM-M-16613-2019

Date of Decision: 17.07.2019

Harbhajan Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Hemant Bassi, Advocate and
Mr. Harmanjit Singh, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Eklavya Gupta, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in a case FIR No.274 dated 18.09.2018, registered at Police Station Mahesh Nagar, District Ambala, under Sections 148, 149, 323, 324, 341, 307, 506, 216, 120-B and 379-B of the IPC and Section 326 of the IPC.

Notice of motion was issued. Learned State counsel has appeared and complainant has also appeared through his counsel. They contested this petition.

CRM-M-16613-2019

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

From the record, I find that the present petitioner is not named in the FIR and no specific injury is attributed to him.

As per learned State counsel, face of the petitioner cannot be seen even in the mobile video as the other persons were in muffled faces. Learned State counsel also submits that there is no injury declared as dangerous to life by the doctor.

The petitioner has already joined the investigation. He is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.

17.07.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note: Whether speaking/reasoned : Yes
Whether reportable : No