

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20533-2019
Date of Decision: 14.08.2019

Surender Kumar

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner

SI Gulab Singh, for State

MANOJ BAJAJ, J. (ORAL)

* * *

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 0113 dated 13.03.2019, under Section 148, 149, 323, 324, 506 of Indian Penal Code, 1860 (later on added Sections 325 & 326 IPC), registered at Police Station Shahabad, District Kurukshetra. The petitioner apprehended his arrest in the above FIR.

Perusal of the interim order dated 06.05.2019, reveals that the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner is attributed injury on the forehead of the injured/complainant, however, offences punishable under Sections 325 and 326 IPC do not relate to the said injury. These offences were added subsequently and initially the FIR was only for the offence punishable under Section 324 IPC. Further reliance has been placed upon the order dated 29.4.2019 in respect of co-accused Sunil, whereby benefit of interim pre arrest has been extended to him.

Notice of motion for 14.8.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. .”

SI Gulab Singh, who is present in person, has apprised the Court that in deference to the said order dated 06.05.2019, the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.05.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173(2) Cr.P.C

The petition stands allowed.

August 14, 2019
Janki

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No