

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

**CRM-M No. 48547 of 2018  
Date of Decision:-11.01.2019**

Tarun

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present:- Mr. P.S. Sullar, Advocate  
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

**MANOJ BAJAJ J.(Oral)**

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 259 dated 31.5.2018, under Sections 323 read with Section 34 and 506 IPC (Sections 325 and 307 IPC added later on), registered at Police Station City Narnaul, District Mahendergarh.

On 01.11.2018, this Court had passed the following order :-

*“In the instant petition, petitioner has sought for anticipatory bail under the provisions of Section 438 Cr.P.C in case FIR No.259 dated 31.05.2018 registered under Sections 323, 34 and 506 IPC at Police Station City Narnaul District Mahendergarh (Section 325 and 307 IPC were added subsequently).*

*Perusal of the FIR, it is evident that petitioner slapped and has given fist blow on the injured person. There are no specific reason as to why Section 307 IPC has been mentioned in the FIR as grievous hurt has not been stated in the FIR insofar as petitioner is concerned. Therefore, petitioner is entitled to anticipatory bail.*

*Notice of motion for 11.01.2019.*

*In the meanwhile, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on pre-arrest anticipatory bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C.”*

Learned counsel for the petitioner contends that in pursuance of the order dated 01.11.2018, the petitioner has joined the investigation.

Learned State counsel on instructions of S.I. Lal Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.11.2018, is made absolute.

The petition stands allowed.

January 11, 2019  
Vijay Asija

( MANOJ BAJAJ )  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes / No  
Yes / No