

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-23120-2019 (O&M)

Date of decision: 19.07.2019

Samay @ Sahab Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Abhinav Sood, Advocate
for the petitioner.

Mr. Munish Sharma, DAG, Haryana.

Mr. Mahendra Singh Tewatia, Advocate
for the complainant.

ANIL KSHETARPAL, J. (ORAL)

On 20.05.2019, the following order was passed:-

“Learned counsel for the petitioner contends that the injury attributed to the petitioner with blunt weapon is on the leg which is simple in nature. He further submits that the offence under Section 325 of the Indian Penal Code is bailable. He further submits that as per the FIR, the petitioner is not attributed to be possessed of the pistol to attract offence under Arms Act, 1959.

Notice of motion.

On asking of the Court, Mr. Karan Sharma, AAG, Haryana, accepts notice on behalf of the State of Haryana. A copy of the paper book be handed over to learned State counsel during course of the day.

Adjourned to 19.07.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to 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.”

Learned State counsel, on instructions from ASI Ram Karan, has submitted that the petitioner has already joined the investigation and he is not required for further custodial interrogation.

On the other hand, learned counsel for the complainant has submitted that the fracture was caused due to the alleged injury attributed to the petitioner. Hence, he submits that the petitioner is not entitled to grant anticipatory bail.

Once the Investigating Officer, who is present in Court, stated that the alleged weapon of offence has been recovered, without commenting on the merits of the case, the interim order dated 20.05.2019 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

19.07.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No