

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23452-2019 (O&M)
Date of Decision:-24.5.2019

Amit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Jasneet Mehra, Advocate for
Mr. Amrainder Singh, Advocate,
for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.222 dated 19.7.2018 at Police Station Bhupani, District Faridabad under Sections 148, 149, 323, 328, 452 and 506 of Indian Penal Code, 1860.

The FIR was registered at the instance of Gautam, wherein it has been alleged that on the day of occurrence, the accused came in Swift Car followed by a scooty and that 6-7 persons alighted from the car out of which Yashpal was having a country made pistol, Parkash was carrying iron hammer, Amit, Ankit son of Rajan, Ankit son of Babu, Kamal and Manoj were holding iron rods. It is alleged that Ankit @ Tiger gave a blow with

iron rod on the foot of Saurav. Parkash @ Kalu is stated to have given a blow with hammer towards the complainant but the complainant warded off the same with the help of chair. Yashpal pointed his pistol on the ear/temple of the complainant. It is alleged that after the accused had caused injuries to Saurav with the help of iron rods and hammer, they ran away from the spot.

The learned counsel for the petitioner has submitted that even as per the FIR, the petitioner is not attributed any specific injury and that all the injuries are stated to have been caused with blunt edged weapons and in these circumstances, the petitioner deserves the concession of bail.

Opposing the petition, the learned State counsel has submitted that although all the five injuries sustained by Saurav are in the nature contusions and tenderness, but injury No.1, which is in the nature of tenderness and swelling on the right leg, upon x-ray examination, had been found to be a 'grievous injury' as fracture of the leg was detected.

I have considered rival submissions addressed before this Court.

A perusal of the FIR does not specifically show that it is the petitioner, who had caused the aforesaid grievous injury, although he is specifically named in the FIR.

Bearing the aforesaid position in mind, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and it is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the

Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

24.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No