

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-37263-2019 (O & M)

Date of Decision: December 19, 2019

VIKAS

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Gourav Jain, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.148, dated 31.07.2019, under Sections 148, 149, 279, 307, 323, 341, 379, 427 and 201 IPC and Sections 25, 54, 59 of the Arms Act, registered at Police Station Bhattu Kalan, District Fatehabad.

Learned counsel for the petitioner contends that it is only a case of simple injury. It is alleged that a gun shot was fired by co-accused, namely, Ramesh which however did not hit anyone and Ramesh has been arrested. The petitioner is alleged to have given a blow with an iron rod on the leg of the complainant which was found to be simple in nature. He also contends that the petitioner is 23 years of age and is not involved in any other case.

This Court, by the order dated 05.09.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail

to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Ramesh Kumar, states that although the petitioner has joined investigation but recovery of country made pistol is to be effected from him.

Learned counsel for the petitioner, however, contends that the petitioner is alleged to have caused a blow with an iron rod which is simple in nature and the gun shot was fired by the co-accused Ramesh. There is no allegation in the FIR that the petitioner was carrying any fire arm.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 05.09.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

December 19, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No