

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-39091-2019 (O & M)
Date of Decision: October 18, 2019**

SHER MOHD @ DUNNA

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. H.P.S.Sidhu, Advocate for
Mr. Mazlish Khan, Advocate for the petitioner.

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

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.424 dated 19.07.2018, under Sections 323, 325, 506 read with Section 34 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 326 IPC added later on), registered at Police Station Nuh, District Nuh-Mewat.

Learned counsel for the petitioner contends that as per the allegations in the FIR, the petitioner has caused 'lathi' blow on the left foot of the complainant, but this injury is not reflected in the MLR of the complainant. He also contends that the injury for which Section 326 IPC has been invoked is attributed to accused Mustak. He also contends that the FIR is the outcome of a quarrel between the neighbours with regard to a dispute of partition. He further contends that the matter was earlier compromised between the parties and has referred to the copy of compromise at Annexure P2, but the complainant had later resiled.

This Court, by the order dated 13.09.2019, 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, on instructions from ASI Rajbir Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 13.09.2019 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

October 18, 2019

A.Kaundal

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