

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

**CRM-M No. 40007 of 2019
Decided on: 16.11.2019**

Varun

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. P.S. Chauhan, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Neeraj Yadav, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.189 dated 17.06.2019, registered under Sections 148, 149, 323, 379-B, 427, 506, 120-B IPC at Police Station Khol, District Rewari.

The operative part of the order dated 27.09.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that in the statement of Kapil, who is stated to be along with complainant Sham Lal at the time of alleged incident, the petitioner is not named as one of the assailants....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 27.09.2019, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Lal Chand,

has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

On the other hand, counsel for the complainant has, however, submitted that the petitioner and the co-accused Rahul are named in the FIR and they have caused injuries to the complainant on account of the fact that the complainant is a witness in another FIR No.56. However, counsel for the complainant could not dispute the fact that in the statement recorded under Section 161 Cr.P.C. Kapil, a friend of the complainant, has not named them.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 27.09.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

16.11.2019
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No