

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

**CRM-M No. 41214 of 2019
Decided on: 06.11.2019**

Vikas and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Manish Soni, Advocate
for the petitioners.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Salim Ahmed, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.71 dated 12.03.2019, registered under Sections 147, 148, 149, 324, 323, 325, 307, 326, 506 IPC and 25/27 of the Arms Act at Police Station Manesar, District Gurugram.

The operative part of the order dated 01.10.2019, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“...Learned counsel for the petitioners submits that petitioner No. 1 was not named in the FIR and the only allegations against the petitioner are the statements of two injured witnesses, namely Mahipal and Balbir, recorded under Section 161 Cr.P.C. and in the statement of Mahipal, it is stated that Vikas has given a blow on his knee and similar statement was made by injured Balbir that petitioner No. 1 Vikas has given a blow on his hand and

petitioner No. 2 has given a blow on his knee.

Learned counsel for the petitioners further submits that similarly situated co-accused have already been granted concession of anticipatory bail by the Additional Sessions Judge, vide order dated 10.04.2019.

List again on 22.10.2019....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 01.10.2019, both the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the State, on instructions from SI Ratan Singh, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation.

Counsel for the complainant, on the other hand, has submitted that there are injuries attributed to both the petitioners.

In view of the above, considering the fact that the injury attributed to both the petitioners are on non-vital part of the body, this petition is allowed and the interim bail granted to the petitioners vide order dated 01.10.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

06.11.2019
yakub

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No