

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

CRM-M-12030-2020 (O&M)

Date of Decision:- 14.7.2020

Harpreet Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ramnish Puri, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.224, dated 17.12.2019, Police Station Chhachhrauli, District Yamuna Nagar, under Sections 323, 324, 427, 506 and 34 IPC (Sections 326 and 285 IPC added later on).
2. It is the case of the prosecution that on 6.10.2019 when the complainant was present near liquor shop situated at the turn of Village Jaydhari mod, then a truck (dumper) came there which was

loaded with sand. When the complainant inquired as to whether he was having any documents pertaining to carrying the said sand, the driver of the truck expressed that he had no such documents and thereafter the driver called the owner of the truck (dumper). It is alleged that shortly thereafter a Scorpio and 2-3 more vehicles came there and Deepak @ Prince Jaydhar, Harish Ismailpur and Rajat Ismailpur came out of the said vehicles and started beating the complainant with 'sticks' and threatened him that in case he ever tried to check the truck in future he would be done to death.

3. Learned counsel for the petitioner has submitted that he is not named in the FIR and it is on the basis of some alleged supplementary statement that he came to be nominated as an accused.
4. Opposing the petitioner, learned State counsel has submitted that since the name of the petitioner figures in supplementary statement, no case for grant of anticipatory bail is made out. Learned State counsel, upon instructions from HC Rajinder Kumar, has however informed that pursuant to interim directions issued on 8.5.2020 the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and while bearing in mind that it is a case where the petitioner is not named in the FIR and the co-accused named therein are alleged to have caused injuries with 'sticks' only, in my opinion it is not a case warranting custodial interrogation of the petitioner particularly when he has already joined the investigation. The petition, as such is hereby accepted and interim directions issued vide order dated 8.5.2020 are

made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

July 14, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No