

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CRM No. M-12101 of 2020 (O&M)

Date of Decision : 04.08.2020

Raja

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Munish Sharma, A.A.G., Haryana.

Ms. Monika Jangra, Advocate for the complainant.

(presence marked through video conference)

Harsimran Singh Sethi, J. (Oral)

File has been taken for hearing through video conference due to
Covid-19 pandemic.

CRM-10625-2020

Application is allowed, as prayed for.

CRM-10382-2020

Application is allowed, as prayed for.

CRM No. M-12101 of 2020

The petitioner is seeking anticipatory bail in FIR No. 239, dated
01.04.2020, under Sections 148, 149, 323, 120-B, 379-B, 506 IPC (Section
325 IPC added later on), registered at Police Station City Yamuna Nagar,
District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner

has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 22.05.2020.

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Lakhwinder Masih, Police Station City Yamuna Nagar states that petitioner has joined the investigation. Order dated 22.05.2020 passed by this Court is as under:-

“Learned counsel for the petitioner submits that no specific injury has been attributed to the present petitioner. The three injuries suffered by the complainant are specifically attributed to the other co-accused. It is further submitted that though the petitioner is involved in two other cases, he has been granted the concession of anticipatory bail in both the said matters. It is submitted that the petitioner has been falsely implicated in this case. The complainant even went to the extent of implicating the mother and sister of the co-accused.

Learned counsel for the complainant seeks an adjournment at this stage.

At request, adjourned to 04.08.2020.

In the meanwhile, petitioner shall join investigation as and when required by the investigating agency and shall fully cooperate in the investigation of this case. In the event of his arrest, the petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned State counsel further submits that on 01.04.2020, Section 325 IPC has also been added to the FIR after the receipt of the X-ray report but the same does not find mention in the heading of this petition.

Learned counsel for the petitioner prays that on his oral request, Section 325 IPC be also added to the heading for which, learned State counsel has raised no objection.

In view of the above, the order dated 22.05.2020 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.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

August 04, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No