

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

CRM-M No.12138 of 2020
Date of decision: 12th May, 2020

Sumit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Namit Khurana, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Manish Bansal, Asst. Advocate General, Haryana puts in appearance on behalf of the State on his own.

Petitioner Sumit has sought first anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.430 dated 10.08.2019 under Sections 148, 149, 323, 506 IPC pertaining to Police Station Yamuna Nagar City, District Yamuna Nagar. The precise allegations are that on 09.08.2019 around 4.00 p.m. petitioner along with his four co-accused non-applicants, who were armed with iron rods and lathis, attacked one Rahul Panjeta who was standing in Kanhaiya Chowk. The petitioner is attributed a blow on the head of the injured by means of an iron rod

whereas other injuries have been attributed to the co-accused which are all simple in nature.

Learned counsel for the petitioner Mr. Namit Khurana, Advocate inter alia contends that all the injuries are simple in nature and it is only group rivalry of youngsters which has led to this scuffle and there are only general insinuations against the petitioner and that nothing is to be recovered from him.

On behalf of the State Mr. Manish Bansal, Asst. Advocate General, Haryana on instructions from SI Rajeev Kumar though has opposed the grant of bail but has fairly conceded to the factual scenario canvassed before this Court.

Appreciating the submissions of the two sides, keeping in view that all the injuries including the one attributed to the petitioner are simple in nature by way of blunt means and injured has since been discharged and that co-accused have already been allowed ad-interim bail by this Court, no useful purpose will be served by sending the petitioner behind bars and his joining the investigations would suffice. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so the petitioner shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report

under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he will abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 12, 2020
rps

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