

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

CRM-M-12555-2020 (O&M)

Date of decision: 23.11.2020

Dharmender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Parveen Sharma, Advocate
for the applicant-petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-28404-2020

Prayer in this application is for addition of Section 326 IPC in the head note as well as prayer clause of the main petition as the same has been added subsequently.

For the reasons stated in the application, the same is allowed.

Accordingly, Section 326 IPC is ordered to be added in the head note as well as prayer clause of the petition.

The Registry is directed to make the necessary corrections.

Main case

The petitioner prays for grant of anticipatory bail in FIR No.72 dated 08.02.2020 registered under Sections 148, 149, 323, 341, 506 IPC (Sections 325, 120-B and 326 of the IPC added subsequently) at Police Station Sonapat Sadar, District Sonapat.

The operative part of the order dated 20.05.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of one Parveen, the petitioner – Dharmender and Anil, who are brothers, have caused injuries to the complainant for settling some old vendetta. It is further submitted that there is a mention in the FIR itself that the co-accused Anil has stated that no injury be caused on the head of the complainant and all the injuries, as per the MLR, are simple in nature and are on non-vital part of the body i.e. on the hand and the back of the complainant. Lastly, it is submitted that the co-accused Anil was arrested and he has been granted the concession of regular bail and the motive has been attributed to him.

Notice of motion.

Mr. Chetan Sharma, AAG, Haryana, who is appearing through video conferencing, accepts notice on behalf of the State.

Counsel for the State, on the other hand, has argued that the complainant has suffered 03 fractures.

List again on 18.08.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 20.05.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 20.05.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.11.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No