

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

**CRM-M-12985-2020
Date of decision: 11.11.2020**

Harjinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. D. N. Ganeriwala, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. G. S. Sidhu, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.41 dated 17.2.2020 registered under Sections 148, 149, 323, 324, 307 IPC and Section 25 of the Arms Act at Police Station Kalanwali, District Sirsa.

The operative part of the order dated 27.05.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner submits that it is a case of version and cross-version and before registration of the present FIR No.41, one FIR No.40, however, was registered against the complainant side Sukhraj Singh @ Kala.

Counsel for the petitioner further submits that from the petitioner's side, three persons, namely Lakhveer Singh, Lakhwinder Singh and Davinder Singh @ Gaggu received serious injuries for which the FIR under Section 307 IPC was registered.

Counsel for the petitioner further submits that one of the co-accused-Gurant Singh @ Janta has already been granted the concession of anticipatory bail vide order dated 6.5.2020 in CRM-M-11999-2020.

Counsel for the petitioner also submitted that the main accused, namely, Davinder Singh, who attributed gun shot injury, already stands arrested.

Notice of motion for 28.7.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 27.05.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

As per the affidavit of Assistant Sub Inspector, co-accused of the petitioner, namely Devender Singh and Sukraj Singh, had an altercation with complainant's side and when they came and informed the same to petitioner Harjinder Singh, being uncle, and Gurjant Singh, being father. The petitioner provoked them to teach a lesson to complainant's side and in that process, the injuries were caused to complainant's side.

Learned State counsel, assisted by learned counsel for the complainant, refers to para 6 of the affidavit wherein it is stated that during investigation, the petitioner has made disclosure that he gave fist and slap blows.

In reply, learned counsel for the petitioner submits that injury invoking Section 307 IPC is not attributed to petitioner and he has already joined investigation. It is further submitted that as per para 9 of the affidavit, the petitioner is involved in some other cases, however, he already stands acquitted in all the cases.

After hearing learned counsel for the parties, without making

any comment on the merits of the case, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 27.05.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

11.11.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No