

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-14090-2020(O&M)

Date of decision: 16.6.2020

Deen Dayal

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Manoj K Tanwar, Advocate for the petitioner  
Mr. Deepak Sabharwal, Addl. AG, Haryana  
Mr. Anoop Singh, Advocate for the complainant

**ANIL KSHETARPAL, J. (ORAL)**

On 11.6.2020, following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No.33, dated 31.01.2020, registered under Sections 148/149/323/324/379-B/506 IPC, at Police Station Ateli, District Mahendergarh, Haryana.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Narnaul, in paragraph 2 of the order, which is extracted as under:-

*2. In brief, it is version of the prosecution that complainant Rakesh submitted complaint stating therein that he is resident of village Rata Kurd (Ateli Mandi) and have taken parking contract of New Bus Stand, Ateli Mani with Karan Singh. At 10.00 PM on 30.1.2020 he along with Karan Singh was sitting on the entrance of parking where Alto Car*

*No.HR-J-4370 and Compeer White (car) borne with 6/7 miscreants came. These persons were armed with iron rod and sharp edged weapon, alighted from vehicles. In prosecution of their common object they attacked upon him and he identified a boy out of these persons whose name is Deen Dayal and remaining persons are unknown, can be identified on being present before him. It is alleged that these persons snatched Rs.7,000/- out of his pocket with a phone make Honour Company with Sims No.9416015100 and 9416065454. They raised hue and cry then watchman Mukesh and Shamsher Singh residents of village Ateli came and rescued them from the clutches of accused. The accused threatened to kill him. He requested that action be taken against accused.”*

On 05.06.2020, after hearing arguments of both the counsels, following order was passed:-

*“Learned counsel for the State is directed to place on record the medico legal report of the injured as also the opinion of the Nuerosurgeon regarding NCCT scan, which as per the order dated 25.05.2020 of the learned Additional Sessions Judge, Narnaul, was awaited or file an affidavit detailing the said aspect. List on 11.06.2020.”*

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Learned State counsel has informed the court that the injury on the head of the injured is simple in nature.

Learned counsel for the petitioner contends that the petitioner used to park his vehicle in the parking

lot which is managed by the first informant, who has been allotted a contract. A small dispute with respect to place of parking of the vehicle of the petitioner has given rise to this false case.

Notice of motion.

Keeping in view the facts of the case, this court is of the considered view that let the petitioner joins investigation.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Adjourned to 16.06.2020.”

Learned State counsel on instructions from ASI Babu Lal submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view of the above, order dated 11.6.2020 is hereby made absolute.

Petition stands allowed.

16.6.2020  
rekha  
Whether speaking/reasoned  
Whether Reportable

(ANIL KSHETARPAL)  
JUDGE  
Yes / No  
Yes / No