

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-14592-2020 (O&M)
Date of Decision:-10.11.2020

Davinder @ Gogi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikram Singh, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.124 dated 17.5.2020 at Police Station Madhuban, District Karnal under Sections 323, 324, 506 and 34 of Indian Penal Code.
2. As per the allegations levelled in the FIR, the co-accused Naveen Kamboj is alleged to have given a blow with 'gandasi' on the head of complainant and the petitioner is stated to have given a blow with a rod to the complainant. Both the accused are also alleged to have caused injuries to the driver of the complainant.
3. The learned counsel for the petitioner has submitted that it is infact a case of cross-version inasmuch as the co-accused Naveen Kamboj had also sustained

injuries as would be evident from the MLR of Naveen Kamboj (Annexure P-2), which shows that he had sustained two injuries including an incised injury. The learned counsel has further submitted that, in any case, the injuries attributed to the petitioner and to his co-accused are simple in nature and since the petitioner has already joined investigation, he is entitled to the concession of anticipatory bail.

4. Opposing the petition, the learned State counsel has submitted that since the petitioner was armed with a rod and his co-accused was armed with a 'gandasi', no case for grant of anticipatory bail is made out. The learned State counsel has, however, informed that the petitioner has since joined investigation and challan already stands presented.
5. Having regard to the facts and circumstances of the case and the fact that challan already stands presented, custodial interrogation of the petitioner, at this stage, is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 12.6.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.11.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No