

*(Through Video Conferencing)*CRM-M No.21437 of 2020
Date of Decision: 04.08.2020

Sunil Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Anil Kumar Sharma, Advocate,
for the petitioner.

Mr. Neeraj Yadav, Advocate, for the complainant.

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

The present petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.416 dated 07.07.2020 under Sections 324/452/506 of IPC, registered at Police Station Model Town Rewari, District Rewari.

The allegations are that the petitioner inflicted knife blow on the head of the complainant.

Learned counsel for the respondent/complainant while opposing the anticipatory bail submitted that the injury is sharp in nature and therefore, it is evident that the same has been inflicted with the knife, which has still to be recovered.

It is contended by learned counsel for the petitioner that the facts in the present case speak for themselves. The complainant used to keep big stones in the street by stopping the car in front of his house due to which

it became difficult for the residents to pass the street when he tried to remove the stones, the complainant objected and pushed the petitioner and during the scuffle, the complainant fell down and hurt himself. He has also filed an application before the Superintendent of Police bringing out the true facts. Even otherwise, the FIR is only under Sections 324/452/506 IPC and triable by Magistrate.

In view of the same, the the present petition is allowed and the petitioner is directed to join the investigation and in the event of arrest, he be released on anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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.

In case, the petitioner does not join the investigation or does not cooperate in the investigation, the respondent/State shall be at liberty to file an application for cancellation of his anticipatory bail.

(NIRMALJIT KAUR)
JUDGE

04.08.2020
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No