

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

107

**CRM-M-25410-2020(O&M)
Date of Order:01.09.2020**

SUDHIR @ BANTI

..Petitioner

Versus

STATE OF HARYANA AND ANOTHER

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sumit Sangwan, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

Mr. Anil Kumar Saini, Advocate
for the first informant.

ANIL KSHETARPAL, J(Oral)

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No..0147 dated 02.08.2020, registered under Section 323/ 324/ 34/ 376/ 452/ 506/ 511 of Indian Penal Code 1860 (Section 376/ 511 IPC were deleted and Sections 307/354/354B IPC were added during investigation, at Police Station Jhojhu Kalan District Charkhi Dadri.

As per the case of the prosecution, when first informant's husband was not present in the house, the petitioner along with a co-accused sexually assaulted her. She made noise and her husband came in but the petitioner is alleged to have attacked him with knife causing several injuries.

No doubt, the offence under Sections 376/511 IPC has been deleted, however, offences under Section 307/354/354-B IPC have been added.

As per counsel representing the State, the injured received as many as six injuries. One of the injury has been declared dangerous to life.

The petitioner was released on interim bail vide order dated 07.08.2020, however, the same has been cancelled by the trial court in view of the opinion of the doctor.

Learned counsel for the petitioner contends that the petitioner has already joined the investigation and the alleged weapon of offence has also been recovered from the petitioner. He submitted that further custodial interrogation of the petitioner shall not be required.

This court has considered the submissions.

Keeping in view the injury suffered by the first informant's husband, this court is not inclined to grant concession of pre-arrest bail to the petitioner.

Hence, dismissed.

However, if the petitioner surrenders before the Court and applies for regular bail, the same shall be decided within 4 days.

Needless to observe that the court below would not be influenced by *prima-facie* observations made by this court while dismissing this petition. .

September 01, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No