

S.No.107

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

CRM-M-25630 of 2020 (O&M)

Date of Decision:02.09.2020

Susa @ Jaideep and others

.....Petitioners

Vs.

State of Haryana

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rakesh Dhiman, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.105 dated 25.05.2020 registered under Sections 148, 149, 323, 325, 506 IPC at Police Station Badli, District Jhajjar.

It is contended by learned counsel for the petitioners that the case against the petitioners is totally concocted. Although the petitioners have been attributed injuries, however, offence under Section 325 IPC, which has been invoked on account of the injuries, is bailable offence. Only to make the case involving non-bailable offences, Section 506 IPC has been added. There is no other case against the petitioner. The petitioner shall join the investigation. Hence, the petitioner deserves concession of anticipatory bail.

Notice of motion.

Mr. R.S. Jhand, Addl. AG, Haryana, accepts notice on behalf of the State.

Learned State Counsel, on instructions from SI Om Singh, has submitted that there are specific allegations against the petitioners qua having caused grievous injuries to the complainant. However, it is not disputed that the offences invoked on account of the injuries are bailable in nature. It is also not disputed that except the offence under Section 506 IPC, all the offences alleged against the petitioners are bailable in nature. Still further, it is not disputed that there is no other case against the petitioners.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail subject to their furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioners 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.

September 02, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No