

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

CRM-M-27660-2020 (O&M)
Date of Decision: October 26, 2020.

GAGAN Petitioner(s)

Versus

STATE OF HARYANA Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Nishant Raj Ghangas, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur AAG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 264 dated 23.08.2020, under Sections 148, 149, 323, 506 IPC (Sections 325 and 452 IPC added subsequently), Police Station Industrial Sector 29, Panipat, District Panipat.

Contentions on behalf of the petitioner, noted while issuing notice of motion on 14.09.2020 read as under:-

“It is, inter alia, submitted that no specific injury has been attributed to the petitioner, who has unnecessarily been involved in this case. As many as seventeen (17) persons have been named in this case, while the complainant and another person have statedly suffered only three injuries. Learned counsel, further submits, that it is debatable whether rigours of Section 325 IPC are attracted in this case.”

Learned counsel for the petitioner submits that the petitioner has since joined the investigation. It is further submitted, that the petitioner is not involved in any other criminal case and he undertakes to cooperate in the investigation of the matter. It is thus prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State on instructions from H.C. Shishpal, verifies that the petitioner has joined investigation and his custodial interrogation is not required. It is further verified that the petitioner is not involved in any other criminal case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 14.09.2020 is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

October 26, 2020

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No