

S.No.115

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

CRM-M-29744 of 2020 (O&M)

Date of Decision:25.09.2020

Bunty

.....Petitioner

Vs.

State of Haryana

.....Respondent

=====

IN VIRTUAL COURT

=====

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. D.P.S. Bajwa, 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.95 dated 27.02.2020 registered under Sections 148, 149, 323, 324, 506 IPC (Section 325 IPC added later on) at Police Station City Fatehabad, District Fatehabad (Haryana).

It is contended by counsel for the petitioner that the case against the petitioner is totally baseless and has been created for motivated reasons. In fact, the petitioner was attacked by the side of the present complainant. In that attack, the petitioner was seriously injured. Hence, the petitioner had got registered an FIR against the complainant and his other companions. Therefore, the present FIR has been lodged. Otherwise also, although the injury which has invited offence under Section 325 IPC is alleged to have been caused by the petitioner, but the said offence is bailable in nature. There is no other case against the petitioner. The petitioner will join the investigation.

Notice of motion.

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

Learned State Counsel, on instructions from HC Harjeet Singh, has submitted that there are specific allegations against the petitioner. The main injury to the complainant is attributed to the petitioner. However, it is not disputed that there is a cross case already registered by the petitioner and that there is no other case against the petitioner.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioner 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 25, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

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