

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

**CRM-M-33238-2020
Date of decision: 04.12.2020**

Shammy Kumar @ Tinku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Anshuman Dalal, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.152 dated 02.08.2020, registered under Sections 323, 324, 326, 452, 506, 34 IPC at Police Station Rajound, Kaithal, District Kaithal.

The operative part of the order dated 16.10.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Ajay, on the date of incident, Sachin, gave an injury on the head of his father with the reverse side of Gandasi and when the complainant tried to save him, then the petitioner Shammy Kumar @ Tinku also hit him with a Gandasi, on his right hand and then, the petitioner Shammy Kumar @ Tinku and Sachin gave injuries to Raj Mohan on his hand and when his mother Rekha tried to intervene, then Kushal hit on her head with a stick.

Counsel for the petitioner has submitted that in order to show his bona fide, the petitioner is ready to pay a demand draft of Rs.25,000/- to the victim Ajay.

Notice of motion.

Mr. Sumit Jain, Addl. A.G., Haryana, who is appearing through video conferencing accepts notice on behalf of the respondent – State.

Counsel for the petitioner is directed to supply a complete copy of paperbook to counsel opposite, during the course of day through WhatsApp or e-mail.

List again on 04.12.2020.

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 16.10.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation. It is further submitted that petitioner has also paid a sum of Rs. 25,000/- to victim Ajay and has placed on record a copy of the demand draft in this regard.

Learned counsel for the State, on instructions from ASI Krishan Kumar, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 16.10.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

04.12.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No