

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-36638 of 2019

Date of Decision: 15.01.2020

Sonu @ Sunil Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Ms.Tanushree Gupta, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.46 dated 06.02.2019 under Sections 323, 506 read with Section 34 IPC (Sections 307 & 324 IPC added later on), registered at Police Station City Palwal, Palwal. The petitioner apprehended his arrest at the hands of Police.

This Court while issuing notice of motion to the respondent-State on 02.09.2019, extended interim protection to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that at the instance of co-accused-Sunder, the case FIR No.22 dated 19.01.2019 under Sections 148 and 323 read with Section 149 IPC (Section 326 IPC added later on) was registered at Police Station City Palwal, Palwal against the complainant. He further contends that petitioner apprehend his arrest in FIR No.46 dated 06.02.2019 under Sections 323 and 506 read with Section 506 IPC (Sections 307 and 324 IPC added later on) registered at Police Station City Palwal, Palwal, in respect of the same occurrence. According to him, the petitioner had suffered six injuries and the offence punishable under Section 326 IPC was added later on. According to him, the present

FIR was lodged after a long delay of more than two weeks and the co-accused of the petitioner have been extended the concession of pre-arrest bail by the Additional Sessions Judge, Palwal.

Notice of motion for 15.01.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel who is assisted by ASI Sanjay Kumar states that the petitioner has joined the investigation. She on instructions from ASI Sanjay Kumar further states that the petitioner is not required for custodial interrogation for the time being. She also submits that though in the order dated 02.09.2019 passed by this Court, it is mentioned that the petitioner had suffered six injuries in the occurrence, whereas it was his co-accused, namely, Sunder, who suffered injuries.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 02.09.2019 is made absolute.

15.01.2020
Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No