

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

**CRM-M-51759-2019
Date of decision: 08.01.2020**

Jaggi @ Jagsir and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. S. S. Sahu, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Munish Kamboj, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.283 dated 22.10.2019 under Sections 148, 149, 323, 324, 506 IPC (Section 307 IPC was added during investigation but later, on the basis of opinion of the doctor, Section 307 IPC was deleted and Section 3 of SC&ST Act was added), registered at Police Station City Ratia, Tehsil Ratia, District Fatehabad.

Learned counsel for the petitioners submits that in pursuance to order dated 05.12.2019, both the petitioners have joined investigation and they are no more required for any further investigation.

Learned counsel for the petitioners further submits that there are no direct allegations of calling the complainant in the name of his caste and Section 307 IPC stands deleted during investigation on the basis of the medical report as the injuries sustained by the complainant were found to be simple in nature.

Learned counsel for the petitioners further submits that the allegations of causing injuries to complainant are against co-accused Parmi, who was having a *Kirpan* in his hand and had inflicted an injury on the left side of the knee of victim, whereas petitioners have been shown carrying *Danda*, however, no injury is attributed to them.

Learned State counsel, on instructions from SI Karambir Singh, has not disputed the factual position and submitted that in pursuance to order dated 05.12.2019, the petitioners have joined investigation and they are no more required for any further investigation.

However, learned counsel for the complainant has opposed the prayer of the petitioners on the ground that petitioner No. 1 is subsequently involved in another FIR No. 378 dated 21.12.2019 regarding causing injuries to one Sandeep Kumar. Copy of the said FIR is also placed on record.

In reply, learned counsel for the petitioners submits that aforesaid FIR is a case of version and cross-version in which number of persons are involved and the incident occurred due to sudden provocation.

After hearing learned counsel for the parties, without making any comment on the merits of the case and considering the fact that both the petitioners have joined investigation and they are no more required for any further investigation, the present petition is allowed and the interim bail granted to the petitioners, vide order dated 05.12.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

08.01.2020

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

**(ARVIND SINGH SANGWAN)
JUDGE**

*Yes/No
Yes/No*