

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

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**CRM-M-51640-2019
Date of Decision: 29.01.2020**

Subhash	vs.	... Petitioner
State of Haryana		.. Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Chanderhas Yadav, Advocate
for the petitioner.

Mr. B.S.Virk, Deputy Advocate General, Haryana,

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioner is seeking anticipatory bail in case FIR No. 165 dated 27.10.2019 under Sections 323/324/452/34 and 120-B IPC, registered at Police Station Ding, District Sirsa.

Briefly, the aforesaid FIR has been registered on the basis of statement of Sunita (complainant) alleging that on 26.10.2019, at about 2:00 A.M., two persons entered their house, who were identified as Deshraj and Ashok, armed with *kapa* and inflicted injuries on her person.

On 11.12.2019, following order was passed:

“Contents that petitioner is neither named in the FIR nor any injury has been attributed to him in this case.

Notice of motion for 29.01.2020.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

It has been stated by learned counsel for the petitioner that the petitioner has joined the investigation in pursuance of interim directions issued by this Court and nothing is to be recovered from him; he has not been named in the FIR and has been implicated on the basis of statement of co-accused, who have been named in the FIR. It has been further stated that co-accused have been granted regular bail

Learned State counsel, on instructions from H.C.Krishan Kumar, has not disputed the factual position and stated that co-accused had inflicted injuries on the person of the complainant at the instance of the petitioner, who is brother of the complainant.

Without making any comment on the merits of the case, the present petition is allowed and order dated 11.12.2019, vide which the interim bail was granted to the petitioner, is made absolute.

(VIVEK PURI)
JUDGE

29.01.2020

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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No