

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

**CRM-M-52809 of 2019
Date of Decision:-18.02.2020**

Avinash Kumar @ Chasni

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. S.K. Tripathi, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

JASGURPREET SINGH PURI 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. 386 dated 06.11.2019, under Sections 323, 379, 427, 452, 506, 34 IPC, registered at Police Station Dharuhera, District Rewari.. The petitioner apprehended his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 11.12.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that
an FIR No.386 dated 06.11.2019 under Sections 323,*

379, 427, 452, 506, 34 IPC at Police Station Dharuhera, District Rewari has been registered against the petitioner. He contends that as per the complaint, the petitioner had demanded two bottles of wine without giving money and on refusal, petitioner had abused the complainant and gave beatings to him. Learned counsel further contends that there is no injury in the present case and role attributed to the petitioner is that he had given beatings to the complainant and fled away with the threat to kill him.

Learned counsel for the petitioner on instructions undertakes that the petitioner is ready to join the investigation and that he would abide by any conditions imposed by this Court.

Notice of motion for 18.02.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/ surety to the satisfaction of Arresting/ Investigating Officer. However, 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.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Naresh Kumar does not dispute this fact that the petitioner has joined the investigation.

Learned counsel on instructions from SI Naresh Kumar further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.12.2019 is made absolute.

February 18, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No