

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

202

CRM-M No.959 of 2021 (O&M)
DATE OF DECISION : 02nd DECEMBER, 2021

Prem Kumar

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Rajesh Kumar Moudgil, Advocate,
for the petitioner.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

This is second petition filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.274 dated 06.11.2020, registered under Sections 323, 341, 427, 506, 148, 149 IPC and Sections 308, 325 and 380 IPC (added later on), at Police Station Krishna Gate, Thanesar, Kurukshetra (Haryana).

It is submitted by the counsel for the petitioner that the case against the petitioner is totally fabricated. Even as per the allegations of the prosecution, the injury attributed to the petitioner has not been found to be dangerous to life. The injury is alleged to have been caused by not any specified weapon, as such. It is alleged to be only with the brick blow. Hence, nothing is required to be recovered from the petitioner. Moreover, the police have chosen not to arrest the petitioner in the past more than one year. The petitioner will join the investigation as and when

called by the Investigating Officer. Hence, the petitioner deserves to be protected against his arrest.

On the other hand, learned State counsel has submitted that though nobody from the police has come to assist him, however, the record shows that the petitioner is duly involved in the crime alleged against him. Even a specific injury is attributed to him. However, it is not disputed that injury is not alleged to have been caused with any specified weapon and that the nature of the injury has been opined to be not dangerous to life.

In view of the above, without commenting anymore on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on 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.

02nd DECEMBER, 2021
'sandeep'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>