

**In the High Court of Punjab and Haryana at Chandigarh**

**103+203-2**

**CRM-M-5594-2021 (O & M)**

**Date of Decision: March 16, 2021**

**ASHUTOSH GARG**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Manoj Pundir, Advocate for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

Mr. Virender Singh Lalhadi, Advocate for the complainant.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

**CRM-8008-2021**

This application is for adding of offence under Section 326 IPC in the head note and the prayer clause of the petition.

It is stated in the application that the offence under Section 326 IPC was added later on and, therefore, could not be incorporated in the petition.

Issue notice to the respondent.

At the asking of the Court, Mr. Arun Beniwal, DAG, Haryana accepts notice on behalf of the respondent-State.

For the reasons stated in the application, the same is allowed and the offence under Section 326 IPC be added in the head note and the prayer clause of the petition.

Registry is directed to carry out the necessary correction.

**Main Case**

The petitioner is seeking anticipatory bail in FIR No. 17 dated 23.01.2021, under Sections 148, 149, 323, 324, 326, 427, 452 and 506 of the Indian Penal Code, 1860, registered at Police Station Bilaspur, District Yamuna

Learned counsel for the petitioner contends that it is a case of version and cross-version. The allegations against the petitioner are that he caused 'gandasi' blow on the left hand of the complainant. The petitioner himself had suffered injuries in the occurrence. He has referred to the copy of the MLR of the petitioner at Annexure P3. He also contends that co-accused Vinod Kumar has been granted anticipatory bail by this Court passed in CRM-M-5005 of 2021. He further contends that the petitioner is not involved in any other criminal case.

Learned counsel for the complainant contends that in view of the serious allegations against the petitioner, he is not entitled to the concession of anticipatory bail.

This Court, by the order dated 08.02.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from SI Balvir Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 08.02.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**March 16, 2021**

**A.Kaundal**

Whether speaking/ reasoned : Yes/No

Whether Reportable : Yes/No