

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201-1)

CRM-M-4411-2020

Date of decision: 02.09.2021

Rajan Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. H.P.S.Ishar, Advocate for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 411 dated 09.12.2019, registered under Sections 148, 149, 323, 452 and 506 of the Indian Penal Code, 1860, at Police Station Chandimandir, District Panchkula, Haryana.

Counsel for the petitioner submits that the FIR is an outcome of a dispute between Paramjeet Singh, complainant, and his brother-Karmjit Singh. He submits that the allegation against the petitioner, who has not been named in the FIR, is that he accompanied the accused-Karmjit Singh and attacked the complainant-Paramjeet Singh. Counsel submits that the injuries with sticks have been attributed to accused-Vijay and Vicky and it has been alleged that they were accompanied by some unknown boys, out of which Harpal was caught on the spot.

While granting interim protection to the petitioner, this Court passed the following order in the main case on 04.02.2020:-

“Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR.

Notice of motion for 28.02.2020.

To be heard along with CRM-M-279-2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions, from HC Naresh Kumar submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 04.02.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

02.09.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No