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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-12383-2021

Date of Decision: 21.09.2021

BHAJAN LAL

..... petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gourav Bhayyia Gilhotra, Advocate,
for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, 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.39 dated 22.02.2021 under Sections 323, 324, 452, 506, and 34 IPC (Section 326 IPC added later on) registered at Police Station P. S. Siwan, Kaithal. 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 17.03.2021, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in the FIR No.39 dated 22.02.2021 registered under Sections 323, 324, 452, 506, 34 IPC (Section 326 IPC added later on) at Police Station P.S. Siwan, Kaithal.

It is contended that the reading of the FIR itself

would reflect that only injury attributed to the petitioner herein would be an injury caused on the shoulder of son of the complainant namely Kamal, which as per the MLR is a simple blunt injury. It is argued that in fact the injury caused by a sharp weapon has been attributed to one Jagtar Singh. Jagtar Singh had given a blow to the wife of the complainant on her forehead and on her left backside.

Notice of motion.

Ms. Deepshikha Chauhan, AAG, Haryana, who is present in the Court, accept notice on behalf of the respondent-State.

The petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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.

Adjourned to 21.09.2021. ”

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 Ram Phal does not dispute this fact that the petitioner has joined the investigation and

he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 17.03.2021 is made absolute.

21.09.2021

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(MANOJ BAJAJ)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No