

212-2

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

CRM-M No. 16714 of 2021
Date of Decision: 31.08.2021

Komal Nath

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Amit Goyal, Advocate,
for the petitioner.

Mr. Manish Dadwal, A.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.269 dated 26.10.2020 registered under Sections 147, 148, 149, 323, 324, 341, 326, 307, 506 IPC at Police Station Kalanwali, District Sirsa (Haryana).

On 20.04.2021, following order was passed:-

*“The case has been taken up for hearing
through video conferencing.*

Learned counsel for the petitioner relies

upon pendency of CRM-M No.5880 of 2021 titled 'Banwari Lal vs. State of Haryana' to contend that no offence is made out under Section 307 IPC. In terms of Section 320 IPC (Eightly) any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits would be grievous hurt. Any enhanced culpability in terms of opinion of the Doctor would be subject to the opinion in terms of sufficiency of injury to cause death in ordinary course of nature. There is no opinion of the Doctor with regard to the injury sufficient to cause death in ordinary course of nature. Even otherwise the parties have amicably resolved their differences by way of compromise dated 29.01.2021.

Notice of motion for 11.05.2021.

To be heard along with CRM-M No.5880 of 2021.

Interim order in the same terms as passed in CRM-M No.5880 of 2021.”

Learned State counsel on instructions from SI Bhoop Singh submits that the petitioner has joined the investigation and his presence is no more required in further investigation of the case.

In view of above, order dated 20.04.2021 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

31.08.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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