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

CRM-M No. 19272 of 2021
Date of Decision: 13.08.2021

Shakti

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Namit Khurana, Advocate,
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.

Mr. Pardeep Chhoker, Advocate,
for the complainant.

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.225 dated
30.03.2021 registered under Sections 148, 149, 323, 427, 452,
506, 307 IPC at Police Station Yamuna Nagar City, District
Yamuna Nagar.

Notice of motion was issued on 17.05.2021, after
recording the following facts:-

“The case has been taken up for hearing

through video conferencing.

Learned counsel for the petitioner contends that petitioner was nominated on the basis of disclosure statement of his brother Sunny. The allegations are that about 100 boys came to the site duly armed with deadly weapons and inflicted injuries and also caused damage to the vehicles and house of the complainant party. One of the boys namely Harsh was identified in the mob. During investigation Pankaj, Harsh, Sunny and Krishna were arrested and some recoveries were effected from them. Now, the compromise has been effected between the parties. No specific injuries has been attributed to the petitioner. Even the co-accused Pankaj, Harsh, Sunny and Krishna have been granted regular bail by the Court of Sessions.

Learned counsel for the complainant has admitted the factum of compromise.

Notice of motion for 13.08.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to

join investigation on 26.05.2021 at 11:00 AM and in the event of his arrest, he shall be enlarged on interim bail, on his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

It is made clear that grant of interim order shall not be taken to be an expression on merits of the case in any manner. The case shall be considered on merits on the adjourned date.”

Learned State counsel on instructions from SI Mahroof Ali submits that in the very nature of case, police has joined the petitioner in the investigation and the presence of the petitioner is no more required in further investigation of the case.

Learned counsel for the petitioner submits that only one boy was identified in the mob. During investigation, Pankaj, Harsh, Sunny and Krishna were arrested and some recoveries were effected from them. Parties have compromised the issue. Thereafter, co-accused Pankaj, Harsh, Sunny and Krishna have been granted regular bail by the Court of Sessions.

At this stage, without meaning anything on the merits of the case, I deem it appropriate to confirm the order dated 17.05.2021.

In view of above, order dated 17.05.2021 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.

August 13, 2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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