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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.22272 of 2021 (O&M)

Date of decision: 04.06.2021

Mayank

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rahul Vats, Advocate
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.80 dated 06.02.2021 registered under Sections 148, 149, 282, 323, 427, 506 IPC and 25 of the Arms Act (Sections 307, 387, 452 IPC added later) at Police Station Krishna Gate, Thanesar, District Kurukshetra.

Counsel for the petitioner has argued that as per the allegations in the FIR registered on a complaint given by Gursharan @ Anshul, in which it is stated that on 05.02.2021, he received a call from Ashok Mishra @ Kunnu, who is younger brother of one Vipin Mishra that the co-accused Sunny Gujjar and his brother Shunty Gujjar along with 2/3 other persons have attacked their house as they were demanding money. When the complainant reached the house, he saw that the aforesaid persons were threatening Vipin Mishra. In the meantime, Shunty fired in air in order to frightened the other persons

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and has caused damage to the car of his friend and also caused injuries to them. It is also stated that even the complainant's side have caused damage to the car of the accused.

Counsel for the petitioner has also submitted that the name of the petitioner later on, surfaced on the basis of the disclosure statement made by the co-accused and a compromise has already been effected between the complainant Anshul and Vipin and on the basis of the compromise, the co-accused Sunny and Shunty have already filed a petition i.e. CRM-M No.10374 of 2021, in which notice of motion has been issued and the same is pending consideration.

Counsel for the State could not dispute the fact that there is no specific allegation against the petitioner and no role is attributed to him, however, it is stated that on the basis of the disclosure statement of one Nitesh Kumar @ Nishu, the petitioner has been nominated as an accused in the case.

After hearing the counsel for the parties, considering the fact that no role is attributed to the petitioner; there is no specific allegation against the petitioner and in view of the COVID-19 situation, this petition is allowed and the petitioner is directed to join the investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*

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3. He shall not leave India without previous permission of the Court.

**(ARVIND SINGH SANGWAN)
JUDGE**

04.06.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No