

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

CRM-M-23863 of 2021

DECIDED ON: 9th JULY, 2021

Dr. Chander Bhan

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Anshumaan Dalal, Advocate for petitioner.

Ms. Harpreet Kaur, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail in case of FIR No. 105 dated 25.4.2021, under Sections 147, 149, 323, 324, 506 IPC, registered at Police Station Uklana, District Hisar.

The FIR was registered at the instance of Surender son of Om Parkash. It was stated that on 22.4.2021, the complainant along with his uncle was digging a water course in the fields. Raj Kapoor and Chander Bhan (petitioner) came there and caught hold of his uncle and the petitioner gave a 'Kasola' blow inflicting injury on the left hand. Thereafter, Raj Kapoor, Sunny and Kuldip also caused injuries.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. There was a dispute with regard to water course which ended in altercation. He further submits that the injuries sustained are of simple in nature.

Learned State counsel relying upon the pleadings of the reply filed and opposes the pre-arrest bail.

From the MLR and the reply filed it is forth coming that all the injuries sustained either by the complainant or his uncle have been declared simple in nature.

The root cause of the incident was of digging of water course for which there was an altercation. The petitioner was alleged to be armed with Kasola and inflicted a simple injury. The petitioner is granted pre-arrest bail subject to his joining the investigation within two weeks. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the investigating officer. He is directed to join investigation as and when called for. He shall be bound by the conditions as envisaged under Section 438(2) Cr.P.C.

The petition is allowed.

In case of failure of the petitioner to join the investigation, the State would be at liberty to file an application for recalling of this order.

9th JULY, 2021

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>