

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

**\*\*\*\***

**CRM-M-24153 of 2021**

**Date of Decision: 28.06.2021.**

Kalu Ram

Petitioner

Versus

State of Haryana and another

Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Lupil Gupta, Advocate for the petitioner.  
Ms. Dimple Jain, DAG, Haryana.  
Mr. N. K. Ganga, Advocate for the complainant.

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**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 FIR No. 71 dated 6.5.2021, under Sections 323, 324 and 326 read with Section 34 IPC, registered at Police Station Baragudha, District Sirsa.

The FIR was at the behest of Vinod Kumar. He submitted a medico-legal report and alleged that on 2.5.2021, there was an incident between the complainant and Kalu Ram (petitioner). Bhala Ram, Jagdish and Deepu Ram were also involved in the incident. The petitioner cut the ear of the complainant with his mouth and he was shifted to Government Hospital, Sirsa.

Learned counsel for the petitioner submits that the accused and the complainant are neighbours. There was an altercation on the issue of removal of cow-dung. The matter flared up and in the heat of moment injury was caused. He relies upon affidavit dated 21.6.2021 (Annexure P-4) whereby the complainant has compromised the matter with the accused. The contention is that the petitioner is ready to join the investigation.

Mr. N. K. Ganga, Advocate puts in appearance on behalf of respondent No. 2 (complainant) and affirms the factum of compromise.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. She submits that there are specific allegations against the petitioner.

The parties are living in a neighbourhood; they have abridged their differences and decided to remain peacefully; no recovery is to be made from the petitioner and the incident which was on a trifle issue flared up.

Considering the facts in totality, no useful purpose would be served by denying personal liberty of the petitioner. The petitioner is granted anticipatory bail subject to his joining 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 abide 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.

[AVNEESH JHINGAN]  
JUDGE

28<sup>th</sup> June, 2021  
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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |