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

CRM-M-20066-2019

Date of decision-02.07.2021

HARSH ANAND @ MONU

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S. Budhwar, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.155 dated 26.10.2018 under Sections 323, 324 & 326 (added later on) of Indian Penal Code, 1860 registered at Police Station Sadhaura, District Yamuna Nagar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.05.2019, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that complainant is tenant of his father and dispute between them for vacation of the house in question was already there. As per the allegation in the FIR, the petitioner had slapped the complainant and caused injury with a sharp edged weapon which as per the MLR was narrated to be serious in nature in

the opinion of the doctor. It was further pointed out that possibility of this injury being self inflicted cannot be ruled out. According to him, initially the FIR was recorded for the offences punishable under Section 324 IPC and offence punishable under Section 326 IPC was added approximately two weeks after the alleged occurrence.

Notice of motion for 07.08.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Sushil does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 03.05.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

02.07.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No