

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

CRM-M-30832-2021

Date of Decision : 12.10.2021

Rajesh @ Rajra

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sunil Saharan, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, JUDGE (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 of the Code of Criminal Procedure read with Section 482 Cr.P.C. is filed seeking pre-arrest bail in FIR No.138 dated 26.05.2021 under Sections 323, 324, 506 and 34 of IPC (Section 326 of IPC added later on) registered at Police Station, Sadar Hansi, District Hisar.

This Court vide order dated 04.08.2021 granted the interim bail subject to joining investigation. The following order is as under:

“The case has been taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.138 dated 26.05.2021 registered under Sections 323, 324 and 506 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Sadar Hansi, District Hisar to which Section 326 of the IPC was added lateron.

Learned Counsel for the petitioner has submitted

that the petitioner has been falsely implicated in the case. No specific injury has been attributed to the petitioner and there are general allegations as to causing of injury to Kuldeep Singh by the petitioner along with his co-accused Krishan and Subhash. All the injuries on the person of Kuldeep Singh were declared to be simple. Injury caused with sharp edged weapon to injured Shamsher Singh which was declared to be grievous is not attributed to the petitioner. The petitioner is ready to join the investigation and his custodial interrogation is not required in the case for effecting any recovery.

Notice of motion.

Pursuant to supply of advance copy, Mr. Sumit Jain, Addl. A.G. Haryana has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 12.10.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.

Learned State counsel, on instructions from SI Surjit Singh submits that the petitioner has joined the investigation and is co-operating.

As no custodial interrogation is needed, the interim bail granted on 04.08.2021 is made absolute.

Disposed of accordingly.

12th October 2021

Manju

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No