

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

Sr. No. 208(1)

CRM-M No.36963 of 2021

Date of decision : 01.11.2021

Atul

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Amit Khari, Advocate for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.527 dated 19.08.2021 registered under Sections 148, 149, 308, 323 and 506 IPC at Police Station Samalkha, district Panipat.

On 14.09.2021, this Court had passed the following order : -

“ Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel while relying upon the decision of Hon’ble the Supreme Court in Harpreet Singh Vs. Government of NCT, Delhi 2005 (11) SCC 551 contends that the petitioner, who is a young school going boy of 18 years and 8 months, has been falsely implicated in case FIR No.527 dated 19.08.2021 registered under Sections 148, 149, 308, 323 and 506 of IPC at Police Station Samalkha, District Panipat.

Learned counsel contends that as per the FIR, exchange of hot words is stated to have taken place on 16.08.2021, whereupon the petitioner along with his companions is alleged to have attacked the complainant,

that the injury attributed to the petitioner i.e. on the head of the complainant with a sword is a blunt injury, that the petitioner does not have any previous criminal record besides he is ready and willing to join investigation and fully cooperate in the same.

Notice of motion.

Mr. Sandeep Singh Maan, Additional AG, Haryana accepts notice on behalf of the State of Haryana and on instructions from ASI Rajpal confirms that as per the opinion of the doctor dated 10.09.2021, injury on the head of the complainant is simple in nature and caused by a blunt weapon.

Adjourned to 01.11.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail / surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 14.09.2021 granting ad interim anticipatory bail to the petitioner is made absolute.

01.11.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

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