

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

**CRM-M-38968-2021
Date of decision: 20.09.2021**

Rakesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sushil Kumar Verma, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 190 dated 03.07.2021, registered under Sections 323, 324, read with Section 34 of the IPC (Section 326 IPC added later on) at Police Station Civil Line, Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the FIR was registered on the statement of one Ram Kumar with the allegations that on 02.07.2021, he, along with others, was sitting at a farmers' protest in a stadium at Sirsa and his relatives Ram Singh and his son-in-law Rakesh Kumar (petitioner) also came there and they all started consuming liquor while sitting at the said protest site. In the meantime, they entered into a verbal spat and Ram Singh and Rakesh Kumar started beating him.

Learned counsel further submits that in fact the police has misused the powers and has registered the present FIR between the relatives and complainant Ram Kumar has sworn an affidavit dated 02.09.2021

(Annexure P-2) that petitioner Rakesh Kumar or his father-in-law Ram Singh has not given any injury to him.

Learned State counsel has not disputed the factual position. It is also not disputed that the parties are closely related and while sitting at a place of protest, they were consuming liquor and thereafter, they all started abusing each other.

After hearing learned counsel for the parties, considering the aforesaid facts and circumstances, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

20.09.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No