

104

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.39731 of 2021 (O&M)

Date of decision: 23.09.2021

Ram Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Verma, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.190 dated 03.07.2021 registered under Sections 323, 324 read with Section 34 IPC (Section 326 IPC added later) at Police Station Civil Lines, Sirsa, District Sirsa.

Counsel for the petitioner has relied upon the order dated 20.09.2021 passed in CRM-M No.38968 of 2021. The operative part of the said order, reads as under:-

“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.

CASE HEARD THROUGH VIDEO CONFERENCING

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.”

Notice of motion.

Mr. Deepak Grewal, DAG, Haryana who is present in the Court accepts notice on behalf of the respondent – State and 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.

(ARVIND SINGH SANGWAN)
JUDGE

23.09.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No