

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-39768-2020 (O&M)**

Gaurav ...Petitioner

Versus

State of Haryana ...Respondent

(II) CRM-M-32680-2020 (O&M)

Shri Bhagwan ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision: 19.01.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Naresh Kumar Chhokar, Advocate,
for the petitioner.Mr. Ramesh K. Ambavta, AAG, Haryana,
assisted by SI Jaibeer Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the aforesaid two petitions filed on behalf of Gaurav and Shri Bhagwan seeking grant of anticipatory bail in respect of a case registered vide FIR No.150 dated 08.07.2020 at Police Station Badli, District Jhajjar, under Sections 307, 323, 506, 34 IPC.

2. At the time of issuance of notice of motion on 01.12.2020 in CRM-M-39768-2020 titled 'Gaurav Vs. State of Haryana', this Court passed following order:

“Learned counsel for the petitioner submits that the petitioner has been attributed one injury on non-vital part i.e. on foot of the complainant and that in fact it is a case of cross-version wherein the petitioner also sustained three injuries including one injury on his head.”

3. Similarly, in CRM-M-32680-2020 titled 'Shri Bhagwan Vs. State of Haryana', this Court passed the following order on 14.10.2020:

“Learned counsel for the petitioner contends that it is a case of version and cross-version. The petitioner is alleged to have caused a stick blow on the waist of the complainant. The injury for which offence under Section 307 IPC has been invoked is not attributed to the petitioner. He also contends that the incident is the outcome of a dispute between the brothers.”

4. I have heard learned counsel for the petitioners and also the learned State counsel.
5. The FIR in the instant case was lodged at the instance of Rohtas, wherein it has been alleged that he was caused injuries by the petitioners as well as Vedpal, Sangeeta and Balbir. Sangeeta was found innocent. Learned State counsel has informed that Vedpal and Balbir are already on bail. Learned State counsel has not disputed the fact that it is the injury attributed to Vedpal, which attracts the rigours of Section 307 IPC. It has also been informed that pursuant to interim directions, the petitioners have since joined investigation.
6. Having regard to the aforestated factual position from which it is apparent that it is the co-accused Vedpal, who has been attributed

the injury, which attracts the rigours of Section 307 IPC and that the petitioners in any case have joined the investigation and their custodial interrogation is not required, the petition is accepted and the interim directions issued by this Court vide order dated 01.12.2020 in Gaurav's case and 14.10.2020 in Shri Bhagwan's case are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7. It is, however, made clear that none of the observations made above shall be taken to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

19.01.2021
Vimal

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