

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(Proceedings through Video Conferencing)

CRM-M No.41412 of 2020

Date of Decision: 24.08.2021

Abhishek @ Shakti

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWANPresent: Mr. Surender Saini, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner pray for grant of anticipatory bail in FIR No.277 dated 05.09.2020, registered under Sections 324, 326, 342, 307, 34, 506 IPC, 1860 and Section 25 of Arms Act, 1959 at Police Station RAI, Sonapat.

The operative part of the order dated 14.12.2020, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“Learned counsel for the petitioner submits that the complainant was a liquor contractor, who had some differences with co-accused Jayant and Joni. It is further submitted that as per allegations in the FIR, a sudden fight took place, in which the petitioner is attributed injury on head of the complainant with an iron pipe, which was declared grievous as per the MLR. It is also submitted that the complainant (since deceased) himself was involved in 20 criminal cases and the petitioner has been implicated in this case on account of party faction. Learned counsel further submits that co-accused Suresh has already been granted the concession of anticipatory bail by this Court vide order dated 25.11.2020 passed in CRM-M-

38993-2020. It is further submitted that there is difference in the ocular and medical version.

Notice of motion for 05.05.2021. ”

Counsel for the petitioner has submitted that, in pursuance to the order dated 14.12.2020, the petitioner has appeared before the Investigating Officer and has joined the investigation

Learned State counsel, on instructions from SI Ashok, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation. He further submits that challan has already been presented.

Even otherwise, there is no allegation that over a period of about eight months, the petitioner has misused the concession of anticipatory bail.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 14.12.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

24.08.2021
manju

Whether speaking/reasoned Yes/No

Whether reportable Yes/No