

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

CRM-M-52047-2021
Date of decision: 14.12.2021

Vishal

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parveen Chauhan, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.569 dated 05.09.2021, registered at Police Station Panipat City, District Panipat, under Sections 323, 325 and 506 IPC.

As per the case of the prosecution, when the complainant was dropping off one of his passengers, the petitioner had suddenly come with his three-wheeler and hit the leg of the passenger. Thereafter, a quarrel ensued between them and the petitioner had caused injury on the head of the complainant with the axle of the three-wheeler.

Learned counsel for the petitioner contends that the petitioner and the complainant are auto-drivers and due to business rivalry, the above-noted FIR had been got registered against the petitioner; that the petitioner has falsely been implicated in the present case and rather, he has no concern whatsoever with the aforesaid occurrence, and that all the offences are triable by the Judicial Magistrate Ist Class and except for Section 506 IPC, all the offences are bailable.

Notice of motion.

On the asking of this Court, Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State and opposes the submissions made by the learned counsel for the petitioner.

I have heard the learned counsel for the parties.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds that the petitioner is not required for custodial interrogation and no useful purpose would be served by sending him behind the bars. Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

14.12.2021

parveen kumar

(HARNARESH SINGH GILL)**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No