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

**CRM-M-44820-2019
Date of decision-23.07.2021**

SATISH KUMAR @ SITA RAM**...Petitioner**

Vs.

STATE OF HARYANA**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Deepanshu Mehta, Advocate
for the petitioner.

Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.138 dated 30.08.2019 under Sections 148, 149, 307, 323, 325, 326, 341, 506 & 120-B of Indian Penal Code, 1860, registered at Police Station Dhand, District Kaithal. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.10.2019, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned senior counsel contends that the injuries suffered by complainant are on the arm and leg i.e. non-vital parts of the body. According to him, considering the nature of injuries suffered by the complainant, it would be debatable whether the

offence under Section 307 IPC is made out or not. He further submits that on the statement of coaccused Rohit, a cross-version was also recorded through FIR No.139 dated 30.8.2019, under Sections 324,34,506 IPC, registered at Police Station Dhand, District Kaithal (Annexure P-2).

Notice of motion for 03.3.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Shiv Charan does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 22.10.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

23.07.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No