

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM-M-279-2020

Date of decision:- 14.02.2022

Vijay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Parminder Walia, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

...

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

This is the second petition filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in case FIR No.411 dated 09.12.2019, registered for offences under Sections 148, 149, 323, 452 and 506 of the Indian Penal Code, 1860, at Police Station Chandimandir, District Panchkula.

As per the case of the prosecution, FIR has been registered on the statement of Paramjit Singh on the allegation that he had a dispute with his elder brother, Karamjit Singh, who has been disowned by their father. In the morning on 09.12.2019, a quarrel took place between him and Karamjit Singh and complaint was submitted in the Police Chowki. After the complainant came back home, 7-8 persons, including Vijay (present petitioner) and Vicky, who were armed with wooden sticks and iron rods, came in a vehicle, forcibly entered his house and attacked him. On his raising an alarm, his uncle's son, Gurdeep Singh came on the spot to rescue

him, but Vijay hit him as well as the complainant with sticks and physically assaulted his wife. A gold chain was found missing after the accused fled as villagers started gathering.

While granting interim protection to the petitioner, this Court passed the following order on 08.01.2020:-

“Learned counsel for the petitioner contended that the present petition has been filed on behalf of Vijay Kumar son of Hardiyal Chand and no injury has been attributed to the present petitioner.

Notice of motion for 28.02.2020.

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 State counsel, upon instructions, from SI, Rajbir Singh submits that the petitioner has joined the investigation, he is no longer required for custodial interrogation and there is no other criminal case registered against him. Upon further instructions, she submits that the challan has been presented in the Court and is under scrutiny.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 08.01.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

14.02.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No