

In the High Court of Punjab and Haryana at Chandigarh

(101)

CRM-M No. 14110 of 2022

Date of Decision: 04.4.2022

Ravinder

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Abhinav Gupta, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. In FIR bearing No. 284 of 23.12.2021, registered at Police Station Munak, District Karnal, offences constituted under Sections 323, 324, 452, 506/148, 149, and, Section 307 IPC (added later on), are embodied.

2. The incriminatory role, as assigned to the bail applicant-petitioner, in the FIR (supra), is of his along with other co-accused, forming an unlawful assembly, and, with his sharing a common object, along with other co-accused, his committing the offences (supra), as become embodied in the FIR (supra).

3. The learned State counsel, on instructions given to him by ASI Surender, submits, that insofar as the incriminatory role, as assigned to the bail applicant-petitioner, is concerned, it is not as grave, and, nor as heinous, as the one, as became assigned to the co-accused, along with him, and, who through wielding weapons of offence, at the crime site, delivered blows with user thereof, on the person of the victim, rather leading to the latter's hospitalization.

He further submits, that though, the present bail applicant-petitioner joined unlawful assembly concerned, as became formed at the crime site, yet he did not wield any weapon of offence, nor with user thereof, gave blows thereof, on the person of the victim concerned.

4. Be that as it may, and, also when the learned State counsel submits, that the relevant recovery(ies) at the instance of the principal offender(s) concerned became effectuated, to the investigating officer concerned, besides submits that the victim of the offence has fully recuperated, and, has been discharged from the hospital.

5. Consequently, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the petitioner-bail applicant, as, thereupons his personal liberty would become unnecessarily fettered, and, curtailed.

6. Therefore, the bail applicant-petitioner is admitted to anticipatory bail, and, in the event of his arrest, he may not be arrested by the investigating officer concerned. However, subject to the bail applicant-petitioner furnishing personal, and, surety bonds in the sum of Rs. 50,000/- each, to the satisfaction of the arresting officer. Furthermore, the bail applicant-petitioner shall also give an undertaking before the arresting officer, that as and when he is summoned through a written Hukamnama, he shall ensure his rendering cooperation to the investigating officer.

7. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

(SURESHWAR THAKUR)
JUDGE

April 04, 2022
Gurpreet

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