

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

**CRM-M-21395-2022
Date of decision: 18.05.2022**

Arun and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Pankaj Bali, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 399 dated 20.07.2021, registered under Sections 289, 323, 326, 452, 506, 511, 34 of the IPC at Police Station Sector 32-33, Karnal.

Learned counsel for the petitioners submits that the FIR was initially registered under Sections 323, 324 and 289 of the IPC and the petitioners were granted anticipatory bail by the Court of Sessions, however, later on, after a period of 28 days, a supplementary statement of the complainant was recorded, wherein certain improvements regarding time of incident were made and thereafter, Section 326 IPC was also added.

Learned counsel further submits that during the intervening period, the petitioners have not misused the concession of anticipatory bail when the initial FIR was registered.

It is further submitted that even petitioner No. 1 was not present at the spot as there is sufficient evidence to show that he was at a distant place, where he was attending a birthday party.

Notice of motion.

Mr. Chetan Sharma, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and could not dispute the factual position but opposes the bail.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the aforesaid facts, the present petition is allowed and the petitioners are granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioners to join investigation, if so required, by issuing them a written notice in this regard.

18.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No