

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

CRM-M-24900-2022

Date of Decision: 05.09.2022

Naresh @ Gola

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sanyam Khetarpal, Advocate,
for the petitioner.

Mr. Munish Sharma, A.A.G., Haryana.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 202 dated 19.04.2022, under Sections 148/149/323/325/506 of the Indian Penal Code, 1860, registered at Police Station Adarsh Nagar, District Faridabad.

On 01.06.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, after the incident of 15.04.2022, the petitioner had given a complaint (Annexure P-2) to the SHO, Police Station Adarsh Nagar, Ballabgarh, in which, it has been stated that it is the complainant party who had attacked the petitioner and his helper namely Krishan and in the said incident, the petitioner had suffered two injuries i.e. two lacerated wounds on left parieto temporal region of head and bruise on right forearm and his helper namely Krishan Kumar had also suffered

three injuries, out of which, two injuries were on the head. It is further submitted that thereafter, the present FIR was registered and thus, the present case is a case of version and cross-version but on account of influence, no cross-version of the petitioner has been recorded, although there is medical evidence in support of their complaint. It is further submitted that all the offences are bailable other than the offence under Section 506 of IPC and the petitioner is not involved in any other case.

Notice of motion for 09.08.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(VIKAS BAHL)
JUDGE

01.06.2022”

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Ved Parkash, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 01.06.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed

and the interim order dated 01.06.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

September 05, 2022
nitin

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No