

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-32576-2022 (O&M)

Date of Decision:-29.11.2022

Murgan @ Raghu

... Petitioner

Versus

State of Chandigarh (UT)

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. H.S. Gill, Advocate for
Mr. Devender Arya, Advocate for the petitioner.

Mr. Ashu Mohan Punchhi, P.P., U.T., Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.81, dated 19.6.2022, Police Station Mauli Jagran, District Chandigarh, under Sections 147, 148, 149, 323, 452, 506, 395 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. At the time of issuance of notice of motion, the following order was passed on 28.7.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 81, dated 19.6.2022, Police Station Mauli Jagran, U.T. Chandigarh, under Sections 147, 148, 149, 323, 452, 506, 395 IPC and Sections 25 and 27 of Arms Act.

Learned counsel for the petitioner submits that it is a case of simple injuries and even as per the FIR though he is stated to be armed with a ‘sword’, but no specific injury is attributed to him.

Notice of motion for 29.11.2022.

At this stage Mr. Avinash Kumar, Advocate for Mr. Kuldeep Tiwari, APP, U.T. Chandigarh has put in appearance on behalf of the respondent and has submitted that since there are three injuries recorded in the MLR, no case for grant of bail is made out.

I have considered rival submissions addressed before this Court.

Since, it is not disputed that the injuries in question are simple in nature, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioner has since joined investigation and is not required for any custodial interrogation. Learned State counsel has further informed that challan already stands presented in the present case. It has also been informed that the petitioner otherwise is not involved in any other case and the co-accused have already been granted bail.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation, which has concluded, and challan already stands presented and the petitioner otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 28.7.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

29.11.2022

pankaj

Whether speaking /reasoned
Whether Reportable

(Gurvinder Singh Gill)
Judge

Yes / No
Yes / No