

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

CRM-M-36593-2021 (O&M)

Date of Decision:-11.1.2022

Mukesh

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Pratham Sethi, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,  
assisted by SI Harender.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.(Oral)**

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.529 dated 15.11.2020 at Police Station Sadar Sonapat, District Sonapat under Sections 148, 149, 307 of Indian Penal Code and Section 25 of Arms Act.
2. At the time of issuance of notice of motion on 6.9.2021, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.529, dated 15.11.2020, Police Station Sadar, Sonapat, under Sections 148, 149, 307 IPC and Section 25 of Arms Act.

The FIR in question was lodged at the instance of Vicky, wherein it is alleged that on 14.11.2020 he had gone to the house of his

uncle. At about 10:30 p.m. a Wagon-R car came in front of his uncle's house in which Mukesh and his sons Neeraj and Yogesh were sitting alongwith Mandeep and son of brother of Mukesh, who were all under influence of liquor and were hurling abuses. When the complainant opened the door, Neeraj and Yogesh, who were carrying pistols, started firing upon them indiscriminately. The others were also carrying weapons. The complainant stated that he sustained a bullet injury on his waist. Upon hearing the noise of firing, their neighbours gathered at the spot and thereafter the assailants fled away.

Learned counsel for the petitioner submits that even if the allegations of the FIR are taken to be correct, still it is only co-accused Neeraj and Yogesh who are sons of the petitioner, who are alleged to be carrying pistols and are alleged to have fired resulting in an injury upon the complainant. It is a case of solitary injury and that apparently the petitioner has been involved falsely so as to settle scores with his sons. It has further been submitted that it is highly unlikely that a father would accompany or encourage his sons to indulge into violence particularly when the father has an absolutely clean record.

Notice of motion for 11.1.2022.

Meanwhile, 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, has submitted that the petitioner pursuant to interim directions, has already joined investigation and is not required for any custodial interrogation.

4. Having regard to the aforesaid position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 6.9.2021 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.

**11.1.2022**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No