

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

CRM-M-45481-2022 (O&M)

Date of Decision:- 23.11.2022

Vishesh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Kaushik, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. B.S. Tewatia, Advocate for respondents No. 2 and 3.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.197 dated 29.3.2021 under Sections 307, 324, 506/34 IPC at Police Station Camp Palwal, District Palwal (Haryana).
2. As per the case of prosecution, the petitioner Vishesh alongwith co-accused Happy had inflicted injuries to complainant's brother with the help of knives.
3. The learned counsel for the petitioner has submitted that the FIR came to be lodged under some misunderstanding, which has now been resolved. It has also been submitted that since co-accused Happy, Suyash Dagar and one more co-accused have already been granted anticipatory bail by this Court vide order dated 5.9.2022, the petitioner also deserves the same relief on grounds of parity.

4. The learned State counsel has, however, opposed the petition while submitting that the petitioner having inflicted an injury to complainant's brother with a knife on his vital part of body does not deserve the concession of anticipatory bail. The learned State counsel has informed that the petitioner is not involved or wanted in any other case.
5. Shri B.S. Tewatia, Advocate for complainant/respondents No. 2 and 3 has endorsed the factum of compromise and has stated that he has no objection in case the petitioner is released on anticipatory bail.
6. This Court has considered rival submissions addressed before this Court.
7. Having regard to the fact that the petitioner is stated to be having a clean record and the matter otherwise is stated to have been compromised and co-accused have already been granted anticipatory bail by this Court, the petition merits acceptance and is hereby accepted. It is accordingly ordered that the petitioner in the event of his arrest shall be released on 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 also abide by the conditions as provided under Section 438 (2) Cr.P.C.

13.5.2022

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No