

**209-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-51040-2021

Date of decision : 20.05.2022

Sachin

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sukhcharan Singh, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Jagjot Singh, Advocate for

Mr. Kunal Dawar, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.153 dated 16.08.2021 under Sections 148, 149, 323, 324, 325, 326 and 506 Indian Penal Code, 1860 registered at Police Station BPTP, Faridabad, District Faridabad, who apprehends his arrest at the hands of Police.

On 15.02.2022, this Court had passed the following order:-

“Learned Senior Counsel has argued that the parties are closely related and in the alleged occurrence, both sides had suffered grievous injuries. According to him, the petitioners are accused in case FIR No.153 dated 16.08.2021 (Annexure P-1) and on the statement of the petitioner, cross case was registered against the other side through separate FIR No.160 dated 22.08.2021 (Annexure P-3) registered under Sections 148, 149, 323 and 506 IPC at Police Station BPTP, District Faridabad. He submits that co-accused of the petitioner, namely, Anand and Satish suffered grievous injuries including fracture, whereas the petitioner suffered one injury on his shoulder. Learned senior counsel has drawn the attention of the Court to the order dated 11.11.2021 (Annexure P-5) to contend that his co-accused

Gajraj Singh and Anand Chandila have already been released on interim pre arrest bail. He prays for concession of anticipatory bail.

The prayer is opposed by learned counsel appearing on behalf of the complainant on the ground that case of the petitioner is distinguishable from his co-accused Gajraj Singh as the weapon used in the crime by the said accused was in fact brought at the spot by petitioner-Sachin. However, it is not disputed that the accused in the FIR No.153 dated 16.08.2021 have also suffered grievous injuries.

Adjourned to 20.05.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-41867-2021.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by SI Sandeep states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.02.2022 is made absolute.

(MANOJ BAJAJ)
JUDGE

20.05.2022

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No

