

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

CRM-M-54392-2021 (O&M)  
Date of Decision:- 9.5.2022

Sirajuddin @ Siraj

.... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Mazlish Khan, Advocae for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,  
assisted by SI Nikhil.

Mr. Munfaid Khan, Advocate, for the complainant.

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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 against him vide FIR No.252 dated 4.11.2020, Police Station Pinangwa, District Nuh (Haryana) under Sections 148, 149, 323, 452, 506 of Indian Penal Code, wherein offence under Section 307 IPC was added later on.
2. At the time of issuance of notice of motion the following order was passed on 5.1.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.252 dated 4.11.2020, Police Station Pinangwa, District Nuh (Haryana) under Sections 148, 149, 323, 452, 506 of

Indian Penal Code, wherein offence under Section 307 IPC was added later on.

Learned counsel for the petitioner submits that the petitioner is aged 68 years and that the dispute allegedly arose on account of certain wooden logs lying in the passage, which the injured had asked the accused to remove. Learned counsel submits that the entire family of the petitioner including his 4 sons and daughter-in-law have been arrayed as accused on account of a dispute allegedly having arisen due to obstruction in a passage. Learned counsel submits that there is a delay of 7 days in lodging the FIR, which has apparently been lodged by way of making exaggerations and to implicate the entire family of the petitioner.

Learned counsel for the petitioner has further submitted that, in any case, even if the allegations as levelled in the FIR are taken to be correct, the petitioner is attributed a 'lathi' blow on the hand of injured Yusuf and that it is co-accused Hamshed, who is attributed the blow on head of Yusuf attracting rigors of Section 307 IPC.

Notice of motion for 9.5.2022.

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 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.

At this stage, Mr. Munfaid Khan, Advocate has put in appearance on behalf of the complainant and has filed Vakalatnama, which is taken on record.”

3. Learned State counsel, upon instructions from SI Nikhil, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation.
4. At this stage, learned counsel for the complainant has however, submitted that the petitioner is involved in other cases though he does not have any particulars of the same.
5. Having regard to the aforestated position wherein the petitioner has 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 5.1.2022 is 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.

**9.5.2022**

Mohan

**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No