

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

209

CRM-M-52809-2021 (O&M)

Date of Decision: 31.10.2022

Sukhpal & another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Brijender Kaushik, Advocate,
for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by HC Ram Chander.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioners – Sukhpal and Rohit have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.211 dated 23.10.2021 at Police Station Shazadpur, District Ambala, under Sections 323/506/34 IPC, wherein complainant Jaibir Singh has alleged that he was inflicted injuries by the petitioners – Sukhpal and Rohit. While petitioner No.1 – Sukhpal is stated to have inflicted a blow with stick on the complainant's head, petitioner No.2 - Rohit is alleged to have inflicted a blow with *gandassi* on the complainant's head. Another co-accused Mohit (non-applicant), who was carrying a pistol, is stated to have fired in the air.
2. Learned counsel for the petitioners has submitted that they have falsely been implicated in the instant case and that in any case the injuries stated to have been sustained by the complainant are in the nature of simple injuries.

3. The aforesaid position regarding injuries is not disputed by the learned State counsel. Learned State counsel has informed that petitioner No.1 has joined investigation. It has also been informed that while petitioner No.1 – Sukhpal is involved in 1 more case, petitioner No.2 – Rohit is involved in 2 other cases.
4. Having regard to the facts and circumstances of the case, the petition qua petitioner No.1 – Sukhpal, who is attributed one stick blow only and is stated to have joined investigation, is accepted and the interim directions issued by this Court vide order dated 17.12.2021 are hereby made absolute. However, petitioner No.1 is directed to join the 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.
5. As far as petition qua petitioner No.2 – Rohit is concerned, he is specifically alleged to have inflicted an injury on the complainant's head with the help of a *gandassi* and is also stated to be involved in 2 other cases. In these circumstances, the petition qua petitioner No.2 – Rohit is dismissed. However, in case petitioner No.2 surrenders before the trial Court within 2 weeks from today and moves an application for grant of regular bail, the trial Court shall endeavour to dispose of the same expeditiously, preferably within a period of 3 days from filing of such application.

31.10.2022

Vimal

(GURVINDER SINGH GILL)
JUDGEWhether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**