

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

CRM-M-2337-2023

Date of Decision: January 17, 2023

Sourav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Akashdeep Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is seeking pre-arrest bail in case FIR No.509, dated 22.12.2022, registered at Police Station Arya Nagar, Rohtak, District Rohtak, under Sections 323/34, 457, 506 of IPC (Section 458 IPC added later on after deleting Section 457 IPC).

Allegations are that on the night intervening 20/21.12.2022 at about 12.30 a.m., petitioner entered the house of complainant Dinesh and started beating Parveen with a wooden stick and on the intervention of his father Sham Lal, petitioner started beating said Sham Lal. The MLR of injured Sham Lal reveals one simple injury on his person.

Learned counsel for the petitioner submits that he was granted interim protection by the Trial Court, vide order dated 03.01.2023. He joined investigation and got recovered the alleged wooden piece used in the crime. However, later on Section 458 IPC has been added due to which he apprehends arrest.

Learned counsel contends further that since there is no allegation of any effort on the part of the petitioner to conceal his entry at the place of crime, so Section 458 IPC is not attracted.

It is a moot point as to whether in the facts and circumstances of the case, Section 458 IPC is attracted or not.

CRM-M-1449-2023

Notice of motion.

Mr. Randhir Singh Addl. A.G, Haryana, accepts notice on behalf of the respondent-State.

Having considered the factual position as above, the petitioner is directed to join investigation and co-operate in the same. He will not leave the country without the prior permission of the Court. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called to do so and shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

January 17, 2023

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**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No