

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6532-2023

Date of Decision: 04.07.2023

YADWINDER SINGH BOPARAI

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Charanjeet Singh, Advocate for
Mr. Varun Garg, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

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VIVEK PURI, J. (ORAL)

1. On 02.03.2023, following order was passed by the Co-ordinate

Bench:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.0181 dated 11.12.2022 under Sections 323, 506, 354, 34 and 326 of IPC, registered at Police Station DLF-II, Gurugram, District Gurugram (Annexure P-1) and to set aside the impugned order dated 10.01.2023 (Annexure P-3).

Learned counsel for the petitioner submits that the entire dispute arose out of miscommunication, wherein, the complainant party had first attacked them and in retaliation and in order to save themselves, they attacked back. He further relies upon the complaint dated 11.12.2022 (Annexure P-7) filed by the petitioner.

Notice of motion.

Mr. Arun Gupta, AAG, Haryana, accepts notice on behalf of the respondent-State.

Learned counsel for the State submits that the role of the petitioner is evident from the CCTV footage, wherein, the petitioner has been seen raising his hand and hitting the complainant party after picking up the glass. He further submits that Section 326 of IPC has also been invoked against the petitioner, as the injuries are serious.

Adjourned to 04.07.2023.

However, without commenting upon the factual matrix

*of the matter or expressing any opinion on the merits of the case, the petitioner shall join investigation on **09.03.2023 at 10:00 A.M.** before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.*

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

2. Status report by way of affidavit of Vikas Kaushik, Assistant Commissioner of Police, DLF, Gurugram on behalf of the State has been taken on record.

3. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

4. Learned State counsel, on instructions from ASI Bablish Kumar, has submitted that the petitioner has joined the investigation and his custodial interrogation is not required.

5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 02.03.2023 is made absolute.

04.07.2023

Janki

**(VIVEK PURI)
JUDGE**

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