

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

208-a

CRM-M-10410-2023

Date of decision: 10.08.2023

Rajeev

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vineet Chaudhary, Advocate, for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

Mr. Rakesh Sobti, Advocate, for the complainant.

AMAN CHAUDHARY. J.

1. On 17.03.2023, this Court had passed the following order:-

“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.10 dated 13.01.2023 (Annexure P-1), under Sections 148, 149, 323, 324, 341 and 506 of IPC (Section 326 of IPC added later on), registered at Police Station Hassanpur, District Palwal (Haryana).

Learned counsel for the petitioner submitted that other party was aggressive. The petitioner suffered many injuries including a fracture of tip of nasal bone and right nasal bone and a small air speck was noted along right orbit. It was further submitted that the injury no.7 is attributed to the petitioner, which is an incised wound of size 6x1 cms., over left hand dorsal aspect with sharp margins.

Learned counsel further contended that it is a case of version and cross-version. The co-accused, namely, Maharam has already been granted interim bail by this Court vide order dated 17.02.2023 (Annexure P6) passed in CRM-M-8502-2023 (O&M).

Status Report dated 13/14.03.2023 by way of affidavit of Sajjan Singh, HPS, Deputy Superintendent of Police, Hodal, District Palwal, has been filed on behalf of the respondent-State. The same is taken on record. Copy thereof has been supplied to the counsel opposite.

Learned State counsel and counsel for the complainant have opposed the prayer made by learned counsel for the petitioner. They have submitted that there are 07 injuries on the person of the complainant and all injuries, except one, have been

found to be caused with blunt weapon but one injury, which is attributed to the petitioner, was caused with sharp edged weapon. The same is on the left hand and not on the vital part of the body.

Adjourned to 17.05.2023.

Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

To be heard with CRM-M-8502-2023.”

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from ASI Anil affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 17.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

10.08.2023

Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No