

204/2

2023:PHHC:129412

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27279-2023 (O&M)

Date of Decision:05.10.2023

RAJPAL

...Petitioner(s)

Vs.

STATE OF HARYANA

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Keshav Pratap Singh, Advocate for the petitioner.
Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.
Mr. S.K. Yadav, Advocate, for the complainant.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition is for grant of anticipatory bail to the petitioner in case FIR No.3 dated 08.01.2023, registered under Sections 148, 149, 323 and 506 of IPC and Section 25 of the Arms Act (later on added Sections 325, 307, 120-B and 216 IPC) at Police Station Ateli, District Mahendergarh.

2. Learned counsel for the State further submits that in compliance of the detailed interim order dated 13.07.2023 passed by this Court, the petitioner has joined the investigation and is no longer required for further investigation.

3. Learned counsel for the complainant has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the statements of the witnesses had been wrongly recorded by the police and the complainant had appeared before the Director General of Police, Haryana, to make a complaint against the Investigating Officer. As per him, the statements of the witnesses have been recorded again. Thus, in the

subsequent statements, the injury, which attracted the offence under Section 307 IPC, is attributed to the present petitioner.

4. While replying to the statements made on behalf of the complainant, learned counsel for the petitioner submits that from the record, it is evident that the petitioner was allegedly carrying a sharp edged weapon and as per the MLR of injured Rajender (Annexure P-4), he had suffered a lacerated wound of size 7 x 3 cm on the vertex and NCCT head was advised. Even as per the record, Sanjay @ Bheru had caused an injury on the head of Rajender with an iron pipe. Thus, the injury, due to which, the offence under Section 307 IPC was added, is not attributed to the present petitioner. He also reiterated the submissions made by him, which have been recorded in the order dated 13.07.2023, in this regard.

5. In view of the statement made by learned State counsel, the interim order dated 13.07.2023 is made absolute. The petitioner shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) of the Cr.P.C.

05.10.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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