

CRM-M-33686-2023

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106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33686-2023
Date of Decision: 17.07.2023

Ajay

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Kawalpreet Singh Virk, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

The present first petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.144 dated 02.07.2023 registered under Sections 147, 148, 149, 323, 506 and 120-B of the Indian Penal Code, 1860, (Sections 427 and 452 IPC added later on) at Police Station City Safidon, District Jind.

It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in any crime as is alleged against him in the present case. Even as per story of the prosecution, only non-bailable section added in the matter is under Section 506 IPC. Therefore, nothing is to be recovered from the petitioner. Otherwise also, the parties have amicably settled their dispute. It is further submitted by the counsel for the petitioner that the petitioner is ready to join the investigation and to cooperate with the Investigating Officer as and when called by the police.

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Notice of motion.

Mr. K.K.Chahal, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State and vehemently opposed the petition and Mr. Jatin Kundu, Advocate, accepts notice on behalf of respondent No.2/complainant.

On the other hand, the learned State Counsel, on written instructions from ASI Suresh Kumar, has submitted that the petitioner is directly involved in the crime in this case. There is another criminal case against the petitioner as well. Hence, the petitioner is required for investigation.

Learned counsel for respondent No.2/complainant has not disputed the fact that the parties have settled their dispute amicably.

In view of the above, but without commenting upon merits of the case, the present petition is disposed of by granting concession of anticipatory bail to the petitioner. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

17.07.2023
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No