

CRM-M-56995-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-56995-2023
Date of decision: 09.11.2023

DHRUV

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Manu K. Bhandari, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C., praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No.202 dated 03.06.2023, registered under Sections 148, 149, 323, 324, 307 and 120-B IPC, at Police Station Arya Nagar, District Rohtak.

2. It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the case of the prosecution, there is no attribution to the petitioner qua having caused the injury to anybody. The petitioner is alleged to be only present at the scene of occurrence. There is no other case against the petitioner. The petitioner shall join the investigation as and when called by the police. Hence, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Krishan Kumar Chahal, Addl. A. G. Haryana, accepts

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notice on behalf of the respondent-State.

5. It is submitted by counsel for the State, on instructions from ASI Sanjay that the petitioner was found to be part of an unlawful assembly in which two persons were caused injuries, including the injury which has been declared dangerous to life. Therefore, the petitioner cannot assert that he is not involved in the crime. However, it is not disputed that there is no specific allegation against the petitioner qua having caused injury to anybody. It is also not disputed that there is no other case registered against the petitioner.

6. In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, 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.

09.11.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No