

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

142

CRM-M No.58172 of 2023 (O&M)
DATE OF DECISION: 20th NOVEMBER, 2023

Parveen

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. V.P. Sangwan, Advocate,
for the petitioner.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in newly added Sections 109, 201 and 326 IPC added during investigating after release of regular bail in FIR No.0195 dated 07.09.2023 registered under Sections 323, 324, 34 and 506 IPC at Police Station Jhojhu Kalan, District Charkhi Dadri.

2. It is submitted by learned counsel for the petitioner that the petitioner was granted bail pending trial in this matter only. However, subsequently Sections 109, 201 and 326 IPC have been added by the police. However, the recovery of alleged weapon of offence already stands effected by the police. Therefore, the petitioner would not be required for any investigation purpose and for any recovery purposes.

The petitioner is ready to join the investigation as and when called by the

Investigating Officer. Therefore, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Viney Phogat, Deputy Advocate General, Haryana, accepts notice on behalf of the State.

5. Learned State Counsel, being instructed by ASI Kaptan Singh, has submitted that the petitioner is involved in causing grievous injuries with sharp-edge weapon to the complainant. Therefore, some more sections have to be added against him. The police need custodial interrogation of the petitioner qua the newly added sections, as well. However, it is not disputed by learned State counsel that the basic facts of the case have not materially changed; except the nature of injuries, allegedly, caused by the petitioner.

6. In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. 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.

20th NOVEMBER, 2023
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(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No