

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1997-2024 (O&M)

DATE OF DECISION : 07.03.2024

BALWAN SINGH

... PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Pankaj Bali, Advocate for the petitioner.
Mr. Amrik Singh Narwal, D.A.G., Haryana.
Mr. Ravi Malik, Advocate for respondent No.2.

* * * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. It has come to the notice of the Court that the petitioner was granted anticipatory bail on 15.01.2024 but inadvertently the date of order is mentioned as 15.01.2023. The same may be read as 15.01.2024 instead of 15.01.2023. Registry is directed to make necessary correction.

2. On 15.01.2024 following order was passed:

“The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.716, dated 11.12.2023 registered at Police Station Industrial Sector-29, Panipat, under Sections 323, 354, 354-D, 506 IPC.

Learned counsel for the petitioner inter alia contends that the present FIR was registered against the petitioner as a counter blast to the representation given by the petitioner to the D.G.P., Haryana Police, Sector-6, Panchkula wherein the petitioner has alleged that on account of previous enmity with brother-in-law he has been inflicted injuries and on account of said injuries as per discharge card (Annexure P-4) he was hospitalized from 11.12.2023 to 14.12.2023. The petitioner had received six injuries from the hand of the complainant party out of which two injuries are grievous in nature as per Annexure P-3.

Notice of motion.

On advance notice, Mr. Kirpal Singh Thakur, AAG,

Haryana appears on behalf of the State and seeks time to file status report. Mr. Ravi Malik, Advocate, who is present in Court has filed his Memorandum of Appearance on behalf of respondent No.2 in Court and seeks time to file reply.

Adjourned to 01.03.2024.

In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions. xxxx”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by this Court.

4. Learned State counsel has informed that the petitioner has joined the investigation and is not required for further custodial interrogation. However, Section 452 IPC was added later on.

5. Petitioner is allowed to amend the petition and Section 452 IPC is ordered to be incorporated in the head note and prayer clause of the petition.

6. In view of the aforesaid facts and the reasons recorded in the order dated 15.01.2024 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 15.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

07.03.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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