

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-15785-2024
Date of Decision:09.05.2024

DAUD

.....Petitioner

Vs.

STATE OF HARYANA

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rajesh Lamba, Advocate
for the petitioner.

Mr. Sumit Jain, Additional AG,Haryana
assisted by SI Dinesh Kumar.

DEEPAK GUPTA, J.(ORAL)

Status report dated 07.05.2024 by way of an affidavit of Shri Virender Singh, HPS, Assistant Commissioner of Police, Badkhal, District Faridabad has been filed on behalf of the respondent-State and the same is taken on record.

On 01.04.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.248 dated 27.04.2023 registered under Sections 147, 149, 323, 307 and 506 IPC at Police Station Kotwali, District Faridabad.

Allegations are that the petitioner along with others, armed with brick bats and stones, threw the same to the complainant party causing injuries to them. It is alleged that one of the injury caused to Faizan, resulted in an injury attracting Section 307 IPC.

Learned counsel for the petitioner contends that the petitioner is not specifically attributed to have caused injuries to Faizan. It is further stated that it is a case of version and cross-version inasmuch as on the statement of accused party, FIR No.258 dated 03.05.2023 (Annexure P.2) was registered at Police Station Kotwali, District Faridabad under Sections 147, 149, 323 and 506 IPC and so it is a matter of trial as to who

was the aggressor.

Learned counsel for the petitioner contends that from the side of the accused party, petitioner and Shanam also received injuries.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent- State. Mr. Arun Sharma, Advocate appears for the complainant and filed his Vakalatnama.

Adjourned to 09.05.2024 for filing status report.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

Today learned State counsel, on instructions from SI Dinesh Kumar submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 01.04.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

09.05.2024

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Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No