



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-19683-2024 (O&M)
Date of Decision:- 23.10.2024

Parshant Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagan Bajaj, Advocate for
Mr. Parminder Walia, Advocate, for the petitioner.

Mr. Munish Sharma, DAG, Haryana,
assisted by SI Malkeet Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
38	16.03.2023	Panchkula Sector 20 Panchkula	148, 149, 323, 324, 506 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
2. At the time of issuance of interim bail the following order was passed on 22.04.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 38, dated 16.3.2023, Police



Station Panchkula Sector 20, Panchkula, under Sections 148, 149, 323, 324, 506 IPC.

The FIR was lodged at the instance of Shubham wherein he stated that he is studying in Class 8th in Government School at village Chhoti Kundi. It is alleged that several boys, who are not students of the school stand outside the school and tease girls to which he had objected several times. The said boys included Prashant, Babul, Kundan and Monu. It is alleged that the aforesaid boys had been keeping a grudge against the petitioner and on 16.3.2023 when the complainant came out of school, Babul called him while representing that he wanted to discuss something with him. Said Babul was having a 'punch' and took the complainant aside where there were 8/9 other boys and he said that the complainant will be taught a lesson and all of them started beating the complainant. It is alleged that Kundan and Monu were carrying a 'knife' and inflicted injuries with the same while others who were carrying 'punch' inflicted injuries with the same and they also gave kick blows to him.

Learned counsel for the petitioner submits that although the petitioner is initially named in the FIR, but he is not specifically stated to be present on the day of occurrence and that no overt act is attributed to him. Learned counsel submits that initially the petitioner was granted regular bail, but subsequently upon offence under Section 326 IPC having been added in respect of one injury out of the 6 injuries which was declared a 'grievous injury', he is now sought to be arrested. Learned counsel submits that the petitioner has a clean record and there is nothing on record to show that the petitioner had ever misused the concession of regular bail which had been granted earlier and thus under these circumstances, he deserves to be released on anticipatory bail.

Notice of motion for 23.10.2024.



Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has informed that pursuant to the interim directions, the petitioner has joined investigation.
4. In view of the aforestated position wherein the petitioner has joined investigation and is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 22.04.2024 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

23.10.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No