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2024:PHHC:092461



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-34947 of 2024
DECIDED ON: 23.07.2024**

Sushil Kumar @ Sheelu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr.Sanjeev Majra, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 482 of B.N.S.S., for grant of anticipatory bail to the petitioner in FIR No.201, dated 08.07.2024, registered at Police Station Quilla, Panipat under Sections 115(2), 118(1), 351 (2), 351(3) of the Bharatiya Nyaya Sanhita (BNS) 2023.

2. Learned counsel for the petitioner contends that the injury attributed to the petitioner, even as per narrated facts in the FIR, is simple in nature which as per the opinion of Orthopedic doctor after diagnosis, is stated to be caused by force and not by use of any sharp weapon as alleged in the FIR.

3. After having referred to the Medico Legal Report, State could not controvert the aforesaid assertion, though the report to the effect that there is an abrasion on the left hand, as per the case of the complainant, has been caused with knife. However, be that as it may, in the light of fact that the State is not in

dispute with the fact that the injury has been declared simple in nature, which is in the form of abrasion, even if the prosecution case is taken as gospel truth, on that account, neither any recovery of weapon is to be effected nor custodial interrogation of the petitioner is required to get any detail with regard to the involvement of the present petitioner in the present case, who otherwise can be interrogated.

4. Notice of motion

5. On the asking of the Court, Mr. B.S.Virk, Sr. Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the State-respondent

6. In the light of the above, the present petition is allowed with a direction to the petitioner to join the investigation within one week, subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of B.N.S.S. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by the Court shall automatically stands cancelled.

7, The petition in the aforesaid terms allowed.

(SANDEEP MOUDGIL)
JUDGE

23.07.2024
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No