



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

**106**

\*\*\*\*\*

**CRM-M No.35903 of 2024  
Date of decision : 29.7.2024**

**Partap Singh**

.....Petitioner

**Versus**

**State of Haryana**

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. G.S. Sidhu, Advocate, for the petitioner

---

**SANDEEP MOUDGIL, J (ORAL)**

The jurisdiction of this Court has been invoked under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.171 dated 21.6.2024, under Sections 147, 148, 149, 323, 341, 427, 452, 506 and 509 of the IPC, registered at Police Station Ding, District Sirsa.

2. Learned counsel for the petitioner would contend that the present FIR is a result of agreement between both the parties, to not enter into the disputed area, which was thereafter breached by the complainant and the said land was subsequently ploughed by the petitioner. However, he fairly submits that the injury inflicted by the petitioner is simple in nature. There is no other case pending against the petitioner. A civil suit regarding the plot in question is pending between the parties before the Civil Judge, Sirsa.

3. Notice of motion.

4. On the asking of Court, Mr. B.S. Virk, Senior DAG, Haryana, who is present in Court, though served with advance copy of the petition, accepts notice on behalf of respondent-State, and on instructions from SI Bahadur Singh, could not controvert the fact that only simple injury is attributed to the petitioner, who entered into the house of the complainant



and only on that account he has been nominated. There is no other case against the petitioner.

5. Be that as it may, having given a thoughtful consideration to the narrated facts and the arguments raised on behalf of learned counsel for both the parties, this Court does not find any substantial material to hold that custodial interrogation of the petitioner is must for which he is required to be taken into custody since he is attributed only a simple injury.

6. In the light of above, this petition deserves to be accepted. The petitioner is directed to be released on anticipatory bail subject to his joining the investigation within a period of two weeks, on his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 438 (2) of the Cr.P.C./Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within two weeks, the order passed by the Court shall automatically stands cancelled.

8. The petition stands allowed in the aforesaid terms.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**29.7.2024**

*Ashwani*

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No