



CRM-M-36492-2024

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

CRM-M-36492-2024
Decided on : 09.12.2024

Nirmal Singh @ Sudhama

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. H.S.Deol, Advocate
for the petitioner.

Ms. Trishanjli Sharma, DAG, Haryana.

Mr. Keshav Pratap Singh, Advocate
for the complainant.

Manjari Nehru Kaul, J.

Status report by way of an affidavit of DSP, Radaur filed on behalf of respondent-State in Court today, is taken on record subject to all just exceptions.

Main case

The present petition has been filed under Section 438 Cr.P.C./482 of BNS, for grant of anticipatory bail to the petitioner in case FIR No.144 dated 22.06.2024 under Sections 148, 149, 323, 324, 325, 341 IPC (Sections 307, 427 and 506 IPC added later on) registered at Police Station Jathalana, District Yamuna Nagar.

2. On the last date of hearing i.e. on 08.08.2024, while noticing the following submissions made by the learned counsel for the



petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:

“Learned counsel for the petitioner inter-alia submits that it is a case of version and cross version. The FIR was registered on the complaint of Prithvi Vijay that petitioner alongwith 8 other persons gave injures with wooden stick to Prithvi Vijay, Partap Singh, Animesh, Bhanu, Yashpal Singh. Due to which Section 307 was added later on. The said injury has been attributed to co-accused Satinder Rana for causing injury on right hand index finger and an injury on right hand middle finger of injured Partap Singh. It is further submitted that cross case was registered in case FIR No. 145 dated 22.06.2024 at the instance of Suraj Chauhan (accused in the present case FIR No.144). On the allegation that Partap Singh (armed with knife), Animesh (armed with gandas), Parladh, Yashpal, Prithvi Vijay, Barkha Ram, Sanjeev, Karan (all armed with wooden sticks) in connivance with each other gave serious injuries with their respective weapons to Nirmal Singh @ Sudama (petitioner) on his head, right forearm and he has also suffered a fracture of right foot. Besides the petitioner, one Raj Kumar and Suraj (brother of complainant in present case FIR No. 145) has also suffered an injury with a knife on his left eye-brow, which has been attributed to Partap Singh. The petitioner has suffered a fracture. Despite that, case has been registered under Sections 324,427,506,148,149 IPC Police Station Jathlana, District Yamuna Nagar. Injuries suffered by the petitioner are on the vital parts of the body. The petitioner also suffered injury on the right foot which was not shown in the MLR. He got C.T.



Scan conducted and found that he has a “undisplaced fracture of lower third of fibula”.

3. Learned counsel for the petitioner submits that in compliance of order dated 08.08.2024, petitioner has joined the investigation and cooperated with the investigating officer.
4. Learned State counsel assisted by counsel for the complainant, on instructions, has not disputed the submission made by learned counsel for the petitioner. It has also not been disputed by the learned State counsel that it is a case of version and cross-version wherein both the sides received injuries at the hands of each other. Learned State counsel has further submitted that the petitioner is not required for custodial interrogation.
5. Learned counsel for the complainant while reiterating the allegations levelled in the FIR in question has opposed the prayer made by counsel for the petitioner. He submits that the petitioner has been specifically named and attributed a role in the FIR in question.
6. In view of the above, present petition is allowed and interim order dated 08.08.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC/482(2) of BNS.

09.12.2024
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(MANJARI NEHRU KAUL)
JUDGE

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