
Ghanshyam Vs State of Haryana

Criminal Miscellaneous M. 29240 of 2010

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Nov. 19, 2010

Hon'ble Judges: M.M.S. Bedi, J

Bench: Single Bench

Final Decision: Allowed

Judgement

M.M.S. Bedi, J.

The Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Mohar Singh alleging that he

was attacked by Petitioner along with 5/6 persons with common intention . Learned Counsel for the complainant has intervened to oppose the

petition for pre-arrest bail contending that co-accused of the Petitioner, namely, Govind has not been arrested and that Govind has been attributed

a grievous injury on the head with a danda.

2. State counsel, on the instructions of ASI Balwan Singh, informs that Govind, on investigation, has been found to be innocent. Even otherwise,

the right of the Petitioner cannot be prejudiced on account of co-accused having not been arrested. So far as the individual part, attributed to the

Petitioner, is concerned, he is alleged to have given a dang blow on the wrist of Bimla, sister-in-law of complainant. The Petitioner having joined

investigation, can be granted the concession of pre-arrest bail as it does not appear to be a case of custodial interrogation.

3. Accordingly, the petition is allowed and interim order dated 7.10.2010 is hereby confirmed and it is ordered that in case of arrest of the

Petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that the Petitioner will join the investigation

as and when required by the police and will not tamper with evidence or hamper the investigation. He will not commit the similar offence, of which

he is accused of, during pendency of the trial.