

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

CRM-M No.24310-2015

Date of Decision : 21.09.2015

Karnail Singh and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Pankaj Bali, Advocate
for the petitioners.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Parminder Singh, Advocate
for the complainant-respondent No.2.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioners under Section 438 Cr.P.C. in case FIR No.121 dated 29.05.2015 under Sections 148, 149, 323, 324, 307 and 506 IPC registered at Police Station Kunjpura, District Karnal.

On 27.07.2015 the following order was passed:-

“Mr. Parminder Singh, Advocate has appeared and filed his power of attorney on behalf the complainant, which is taken on record. Counsel for the petitioners submits that he has no

objection, if the complainant is allowed to join the proceedings and is impleaded as respondent No.2. Ordered accordingly.

Learned counsel for the petitioners submits that he may be allowed to withdraw the present petition qua petitioner No.2- Shailender s/o Roop Chand. The injury on the head of the injured was attributed to Shailender.

In view of the statement made above, the present petition qua petitioner No.2 Shailender is dismissed as withdrawn.

It is a case of cross-version. On the statement of petitioner No.1 Karnail Singh, First Information Report No. 121 dated 29.5.2015 under Sections 148, 149, 323, 324, 307, 506 of the Indian Penal Code was registered against Satish Kumar (complainant in cross-version) and others. On the next day i.e. 30.5.2015, on the statement of Satish Kumar, the instant cross-version was registered against the petitioners.

Notice of motion for 20.9.2015.

Meantime, petitioners No. 1,3 & 4 will join investigation. In case of their arrest, they shall be enlarged on interim anticipatory bail by the arresting officer subject to the following conditions:-

- 1) that they shall make themselves available for interrogation by a police officer as and when required;*
- 2) that they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3) that they shall not leave India without the previous permission of the Court.”*

Learned Deputy Advocate General states that petitioners No.1, 3 and 4 have joined investigation and since only simple injuries are attributed they are no more required for custodial interrogation.

In view of the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to grant the concession of anticipatory bail to the petitioners No.1, 3 and 4.

Resultantly, the petition is allowed. The interim order dated 27.07.2015 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

21.09.2015

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**