

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-25115 of 2015
Date of Decision: 15.9.2015.

Nirmal Singh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. G.S.Sandhu, Advocate
for the petitioners.

Ms. Mahima, AAG, Haryana.

SABINA, J.

Petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No. 192 dated 8.7.2015 under Section 452, 323, 506, 509, 34 of the Indian Penal Code, 1860, registered at Police Station Pinjore, District Panchkula.

While issuing notice of motion, following order was passed by this Court on 31.7.2015:-

“Learned counsel for the petitioners inter alia submits that husband of complainant Mona @ Mohan was involved in sale of illicit liquor. He was stopped by contractor. He thereafter, attacked contractor and his employees. As a result of that FIR No.158 dated 09.06.2015 under Sections 148, 149, 323, 452, 365, 506 IPC was registered against husband of complainant. Present FIR No.192 dated 08.07.2015 under Sections 452, 323, 506, 509, 34

IPC has been registered against the petitioners and Balwinder who was complainant in FIR No.158 and one Jagga @ Hans Raj for the offences under Sections 452, 323, 506, 509, 34 IPC. Learned counsel states that FIR is delayed by one month. In the FIR, there is specific recital that information in respect of alleged occurrence was received in Police Station on 08.07.2015 at 19.10 hours. Therefore, factum of delay cannot be explained by complainant. Further the only non-bailable offence is under Section 452 IPC. There is FIRs registered one after the other in respect of the same original controversy.

Notice of motion for 15.09.2015.

Meanwhile, in the event of arrest, petitioners shall be admitted to interim bail, subject to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned State counsel, who is assisted by Sub Inspector Zile Singh, has submitted that in terms of the above order, petitioners have joined investigation and are not required for further investigation.

Accordingly, interim bail granted by this Court to the petitioners vide order dated 31.7.2015, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

September 15, 2015
Gurpreet