

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211 **Criminal Misc. M- No. 41436 of 2014 (O&M)**
Date of decision : 15.01.2015

Mahenderi DeviPetitioner

Versus

State of HaryanaRespondent

Criminal Misc. M- No. 42137 of 2014 (O&M)

Madan Singh and anotherPetitioners

Versus

State of HaryanaRespondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. J.P. Sharma, Advocate
for the petitioner(s).

Mr. Pawan Girdhar, Addl. AG, Haryana

Mr. Mukesh Yadav, Advocate
for the complainant.
(in CRM No. M-42137 of 2014)

LISA GILL, J.

This order shall dispose of **CRM No. M-41436 of 2014**
(Mahenderi Devi versus State of Haryana) and **CRM No. M- 42137**
of 2014 (Madan Singh and another versus State of Haryana).

The petitioners pray for anticipatory bail in FIR No. 307 dated 01.11.2014 registered under Sections 323, 447, 452, 506, 34 IPC registered at Police Station Nangal Chaudhary, District Mahendergarh, which is registered on the basis of a complaint submitted by Smt. Ramkala. The petitioners are stated to have inflicted lathi blows on the person of the complainant as well as her

daughter-in-law Manoj. It is contended that there is no medical evidence to substantiate the complainant's case qua the injuries stated to have inflicted by them. Learned counsel for the petitioner submits that the petitioner – Mahenderi Devi is about 60 years of age. Pursuant to orders dated 04.12.2014 and 15.12.2014 passed by this Court, the petitioners have joined investigation.

Learned counsel for the State, on instructions from ASI Rajender Kumar, submits that the petitioners have indeed joined investigation and are no longer required for custodial interrogation.

Learned counsel for the complainant submits it is wrongly stated that petitioner – Mahenderi Devi is a senior citizen. It is also submitted that the medical examination of the complainant was conducted on 16.09.2014 though at a private hospital. However, this averment is not substantiated.

Be that as it may the petitioners are not required for custodial interrogation. There are no allegations on behalf of the State that petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. There is no other case registered against the petitioners. Keeping in view the facts and circumstances of the case but without commenting on the merits of the case, order dated 04.12.2014 (in CRM No. M-41436 of 2014) and 15.12.2014 (in CRM No. M- 42137 of 2014) are made absolute. Petitioners' shall abide by

all the conditions stipulated under Section 438 (2) Cr.P.C.

The petitions are, accordingly, allowed.

January 15, 2015
rts

(LISA GILL)
JUDGE