205 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.16585 of 2016
Date of decision: August 24, 2016

Pushpa Devi and others **...Petitioners**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Karan Singh, Advocate
for the petitioners.

Ms. Neelam Kashyap, DAG, Haryana assisted by
ASI Om Singh, P.S. Sadar Bahadurgarh.

JASPAL SINGH, J.(ORAL)

This is a petition under Section 438 of Code of Criminal Procedure preferred by the petitioners, feeling apprehension of their arrest, in case FIR No.695 dated 26.09.2015, under Sections 147, 149, 323, 332, 353 and 506 IPC, 1860, registered at Police Station Sadar Bahadurgarh, District Jhajjar.

While issuing notice of motion by this Court on May 13, 2016, the following order was passed:-

> *"Petitioners seek the concession of pre-arrest bail in case FIR No.695 dated 26.09.2015, under Sections 147/149/323/332/353/506 IPC, registered at Police Station Sadar Bahadurgarh, District Jhajjar.*
>
> *FIR came to be registered at the instance of Rakesh Kumar, Kanungo and Ombir Singh Bhuria, Naib Tehsildar with the allegations that while they were in the course of discharge of their official duties for delivering vacant possession of a certain parcel of land, they were obstructed and threatened. Allegations have been levelled against Mahinder, Jai Bhagwan, Ashok, Pardeep and Suraj Bhan who were stated to be working*

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at that point of time in the fields as also certain ladies including the present petitioner.

Counsel would submit that the afore-noticed male members were duly apprehended and thereafter have been granted benefit of regular bail.

Counsel would contend that the petitioners are all ladies and from whom no recovery is to be effected and as such, their custodial interrogation would not be warranted.

Notice of motion, returnable on 24.08.2016.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer.

The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.".

On instructions from ASI Om Singh, P.S. Sadar Bahadurgarh, District Jhajjar, learned State counsel submits that petitioners have already joined the investigation in compliance of the order dated May 13, 2016 and are no more required for further interrogation.

Taking into consideration all the above referred aspects of the case, order dated May 13, 2016, is made absolute, subject to the conditions, as envisaged under section 438(2) Cr.P.C.

August 24, 2016 **(JASPAL SINGH)**
m. sharma **JUDGE**

Whether Speaking/Reasoned **Yes/No**

Whether Reportable **Yes/No**

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