

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 207

Date of Decision: *July 08, 2016*

1.

Criminal Miscellaneous Nos.M-21049 of 2016 (O & M)

Subhash & others

..... PETITIONERS

VERSUS

State of Haryana

..... RESPONDENT

. . .

2.

Criminal Miscellaneous Nos.M-21067 of 2016 (O & M)

Salindro Devi & another

..... PETITIONERS

VERSUS

State of Haryana

..... RESPONDENT

. . .

CORAM: **HON'BLE MR. JUSTICE JASPAL SINGH**

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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?

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PRESENT: - Mr. Ashok Kumar Khubbar, Advocate, for the petitioners.

Mr. Tanuj Sharma, Assistant Advocate General,
Haryana.

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Jaspal Singh, J (Oral)

1. This order shall dispose of aforesaid two petitions preferred by the petitioners under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No.100 dated May 24, 2016 under Sections 147, 342, 364, 379, 504, 509, 506, 323 IPC (Section 325 IPC added later on), Police Station, Radaur, District Yamuna Nagar.

2. While issuing notice of motion, following order was passed by a coordinate Bench of this court on June 14, 2016:-

“Learned counsel for the petitioners submits that the FIR actually is a result of an on going grudge between the complainant and the accused side, starting from, initially, the lodging of a complaint by the complainant side against the present accused, for alleged harassment of their daughter, in which eventually the accused were acquitted. Subsequently, other complaints between the parties followed, leading eventually to the present one, in which it is alleged that complainant Jasmer Singh was beaten up and petitioner No.1 Salindro Devi (petitioner in CRM-M-21067 of 2016), was seen sitting with her cloths torn, with Jasmer Singh.

He submits that, as a matter of fact, Salindro Devi is more than 60 years of age and the story has been concocted in connivance with the police, because the petitioners had even lodged a complaint against one of the Investigating Officers.

Without commenting on the merits of the aforesaid contention, since it is seen that indeed there have been complaints and counter complaints lodged by and against each party, at this stage, let notice be issued to the Advocate General, Haryana, returnable on 7.7.2016.

In the meanwhile, in the event of arrest of the petitioners, subject to their joining investigation and complying with all conditions stipulated in Section 438(2) Cr.P.C., they shall be released on bail, on their furnishing adequate bail and surety bonds, to the satisfaction of the arresting officer/Ilaqa Magistrate.

A photocopy of this order be also placed on the file of the other connected matter.”

3. Learned State counsel has submitted that in compliance of order dated June 14, 2016, petitioners have joined the investigation and are no more required for further interrogation.

4. Taking into consideration the above facts of the case, interim order dated June 14, 2016 is made absolute, subject to the conditions, as envisaged under Section 438(2) Cr.P.C.

5. Let a photostat copy of this order be placed in the connected file.

July 08, 2016
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(Jaspal Singh)
Judge