

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22915 of 2016
DECIDED ON: August 29, 2016

JAGDEEP AND OTHERS

.....PETITIONERS..

VERSUS

STATE OF HARYANA

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rahul Sharma, Advocate,
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Om Pal Sharma, Advocate,
for the complainant.

JASPAL SINGH, J (ORAL)

This is a petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought pre-arrest bail in case FIR No.98, dated 31.05.2016, under Sections 148, 149, 323, 324, 427, 447, 506 IPC (Section 326 IPC added later on), Police Station Guhla, District Kaithal.

2. At the very outset of the arguments, it has been submitted by learned counsel for the petitioners that he does not want to press the present petition qua Jagdeep-petitioner No.1.

3. In view of the statement made by learned counsel for the petitioners, instant petition stands dismissed qua Jagdeep-petitioner No.1.

4. As far as, petitioners No.2 and 3 is concerned, learned State counsel, on instructions from ASI Kitab Singh, Police Station Guhla has

submitted that they have joined the investigation in compliance of order dated 13.07.2016 passed by this Court. Though, petitioners No. 2 and 3 are not cooperating with the investigating agency and has failed to get the tractor in question used during the course of occurrence, recovered. But, it has emerged during the course of arguments that petitioners No.2 and 3 are not the owner of the tractor in question and they were sitting on the mudguard at the time of occurrence and also raised lalkara. In the given circumstances, petitioners No. 2 and 3 are no more required for further interrogation.

5. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed qua petitioners No.2 and 3 and order dated 13.07.2016 is made absolute but subject to the conditions provided under Section 438 (2) Cr.P.C.

August 29, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*