

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M -33653 of 2016 (O&M)
Date of decision: 23.11.2016

Sitam Kumar and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Mr. Naveen Kaushik, Addl. A.G, Haryana
assisted by ASI Shamsher Singh.

Mr. S.S. Dinarpur, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.109 dated 22.08.2016, registered under Sections 323, 324, 326 and 506 read with Section 34 of IPC, at Police Station Khizrabad, District Yamuna Nagar.

On 22.09.2016, this Court had passed the following order:-

“Learned counsel contends that it is a case of version and non-version. The simple injury has been attributed to the petitioners and grievous injury has been attributed to co-accused, namely, Nakli.

Notice of motion for 23.11.2016.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail

subject to the following conditions:

- 1.That they shall make themselves available for interrogation by a police officer as and when required;*
- 2.That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3.That they shall not leave India without prior permission of the Court.”*

It is contended that in pursuance of the order dated 22.09.2016, the petitioners have joined the investigation

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

The learned counsel for the complainant opposes the bail application.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 22.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

23.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No