

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 35259 of 2016

Date of decision: 9.11.2016

Baljit & another

Petitioner

vs.

State of Haryana

Respondent

Present: Mr. Aman Pal, Advocate.
Mr. CS Bakshi, Addl.A.G. Hry
Mr.Rajesh Kapila, Advocate.

M.M.S.BEDI,J.

On the instructions of ASI Jai Karan, it has been informed that the petitioners have joined the investigation.

Counsel for the complainant has intervened to oppose the petition for pre-arrest bail contending that the petitioners had actively participated, as members of unlawful assembly, in the act of giving injuries to Hans Raj.

After hearing counsel for the parties and going through the police file, it transpires that the grievous injury with a sharp edged weapon is attributed to co-accused of the petitioners,namely, Pala Ram @ Satpal, who after having been arrested, stands released on bail. The allegation against the petitioners is that they have caught hold of complainant, which facilitated receipt of injuries by him at the hands of Pala Ram @ Satpal.

Taking into consideration the fact that the petitioners were neither armed nor they have been attributed any specific or grievous injury, they having joined the investigation, can be granted the concession of pre-arrest bail as their custodial interrogation does not appear to be of much

importance for proper investigation.

The petition is allowed and it is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the condition that they will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. They will not commit the similar offence, of which they are accused of, during pendency of the trial. In case of any violation, it will be open to the complainant to approach this court for cancellation of bail.

November 9 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No