

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

CRM-M -36790 of 2016 (O&M)
Date of decision: 16.12.2016

Jaswinder Singh @ Kalla and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Partap Singh, Advocate for the petitioner(s).

Mr. Neeraj Poswal, AAG, Haryana
assisted by SI Subhash Chander.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.283 dated 19.08.2016, registered under Sections 148, 323, 342, 365, 506 read with Section 149 of IPC and Section 25 of Arms Act, at Police Station Kurukshetra University.

On 13.10.2016, this Court had passed the following order:-

“Contends that the matter had already been compromised but now the complainant is retracting.

Notice of motion for 16.12.2016.

In the meanwhile, in the event of arrest of the petitioners, they shall be released on bail to the satisfaction of the Arresting Officer, subject to the conditions contained in Section 438 (2) Cr.P.C. They will join the investigation as and when required.”

It is contended that employee of the petitioner, namely Sanjay is a complainant in FIR No. 173 dated 21.05.2016, registered under Sections 148, 323, 324 and 506 read with Section 149 IPC against the complainant in the present FIR. The present FIR is a counter blast of the FIR registered against the complainant to exert pressure on the petitioners. The incident took place on 26.05.2016 whereas the complaint was made on 19.08.2016. The learned counsel further refers to the statement of complainant (Annexure P-3) to contend that the complainant at one point of time had entered into compromise. In pursuance of the order dated 13.10.2016, the petitioners have joined the investigation

The learned State counsel, on instructions submits that though the petitioners have joined the investigation, however, the recovery is yet to be effected.

Keeping in view the fact that the petitioners have joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 13.10.2016, 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.

16.12.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No