

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

**CRM No.M-44919 of 2016 (O&M)
Date of Decision: 21.04.2017**

Ashok Grover ... Petitioner

Versus

State of Haryana ... Respondent

2.CRM No.M-45110 of 2016 (O&M)

Shivam & another ... Petitioners

Versus

State of Haryana ... Respondent

3.CRM No.M-45764 of 2016 (O&M)

Sagar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Arun Sharma, Advocate and
Mr. Krishan Singh, Advocate for the petitioner(s).

Mr. C.S. Bakshi, Additional Advocate General, Haryana.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of CRM-M-44919-2016 (Ashok Grover Versus State of Haryana), CRM-M-45110-2016 (Shivam & another Versus State of Haryana) and CRM-M-45764-2016 (Sagar Versus State of Haryana) as prayer made by the petitioners in these three connected petitions is for grant of concession of pre-arrest bail in case FIR No.390, dated 28.10.2016, under Sections 148/149/323/325/427/452 IPC, registered at Police Station Farakpur,

District Yamuna Nagar.

While issuing notice of motion, the following order was passed by this Court on 16.12.2016 in CRM-M-44919-2016:

“Learned counsel for the petitioner states that the allegation against the petitioner is that he has given kick blow to the complainant and his father but the injury so attributed is not grievous. Learned Additional Sessions Judge, Yamuna Nagar at Jagadhri has declined the anticipatory bail on the basis of news items published in the newspaper.

Notice of motion for 9.3.2017.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. However, he shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under :-

1.That he shall make himself available for interrogation by a police officer as and when required;

2.That he 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 he shall not leave India without previous permission of the Court.”

The notice of motion order dated 17.12.2016 passed in CRM-M-45110-2016 reads in the following terms:

“Learned counsel for the petitioners relies upon order dated 16.12.2016 passed by this Court in CRM-M-44919-2016 titled as Ashok Grover Versus State of Haryana and states that as per MLR, no injury has been found to be grievous in nature.

Notice of motion for 09.03.2017.

In the meantime, in the event of arrest of the petitioners, they shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioners shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C. ”

Likewise, notice of motion was issued on 22.12.2016 in CRM-M-45764-2016 in the following terms:

“Learned counsel for the petitioner relies upon order dated 16.12.2016 passed in CRM-M-44919-2016 titled as Ashok Grover Versus State of Haryana.

Notice of motion for 09.03.2017.

To be heard along with CRM-M-44919-2016.

Interim in the same terms.”

Learned State counsel upon instructions from ASI Jasbir Singh apprises the Court that the petitioners in these three connected petitions have since joined investigation. That apart, it has gone uncontroverted that the injuries attributed to the petitioners as per allegations have been opined to be simple in nature.

Under such circumstances, custodial interrogation of the petitioners would not be required.

Accordingly, prayer made in these three connected petitions is accepted. Order dated 16.12.2016 passed in CRM-M-44919-2016, order dated 17.12.2016 passed in CRM-M-45110-2016 and order dated 22.12.2016 passed in CRM-M-45764-2016 are made absolute.

Disposed of.

21.04.2017

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |