

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-2354-2018(O&M)  
Date of Decision: 01.03.2018

Harinder Singh & others

--Petitioners

Versus

State of Haryana

--Respondent

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

Present:- Mr. Rajiv Panghal, Advocate for the petitioners.

Mr. Deepak K. Grewal, D.A.G., Haryana.

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**TEJINDER SINGH DHINDSA.J (Oral)**

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners herein in Sessions Case No.59 dated 4.12.15/19.8.17 arising out of FIR No.225, dated 22.07.2015, under Sections 147/148/149/323/341/427 IPC (Challan presented under Sections 323/341/427/307/506/34 IPC and charge framed under Sections 323/325/341/427/307/506/34 IPC), registered at Police Station Badhra, District Bhiwani, having been summoned as additional accused under section 319 Cr.P.C.

While issuing notice of motion, the following order was passed by this Court on 22.1.2018:-

*“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in the case FIR No.225, dated 22.07.2015, under Sections 147/148/149/323/341/427 IPC (Challan presented under Sections 323/341/427/307/506/34 IPC and charge framed under Sections 323/325/341/427/307/506/34 IPC), registered at Police Station Badhra, District Bhiwani.*

*Counsel would submit that FIR in question had been registered at the instance of Sandeep S/o Suresh Kumar pertaining to an alleged occurrence dated 21.07.2015 and in which the complainant as also one Ravinder are stated to have suffered injuries. It is submitted that upon completion of investigation, Bansi Lal and Pawan were nominated as accused and were facing trial. Present petitioners were found to be innocent and now have been summoned to face trial on account of an application under Section 319 Cr.P.C. having been allowed by the trial Court vide order dated 02.01.2018 at Annexure P-8.*

*Learned counsel has adverted to the statement of PW-5, Sandeep (complainant) recorded before the trial and on the basis of which the present petitioners have been summoned as additional accused and would submit that even in such deposition, no specific injury has been attributed to any of the petitioners even though they were stated to be armed with dandas/axe.*

*Counsel submits that the petitioners are otherwise ready and willing to join trial proceedings.*

*Notice of motion, returnable for 01.03.2018.*

*In the meanwhile, it is directed that in the eventuality of the petitioners appearing before the trial Court on the date already fixed i.e. on 06.02.2018, they would be admitted to interim bail subject to satisfaction of the trial Court.”*

Counsel appearing for the petitioners makes a statement at the bar that the petitioners in pursuance to the order dated 22.1.2018, passed by this Court, duly appeared before the Trial Court on 6.2.2018 and were admitted to bail on furnishing bail bonds in the sum of Rs.1 lac with one surety of the like amount each.

Petitioners having joined trial proceedings, their custodial interrogation, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 22.1.2018, passed by this Court, is made absolute.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**01.03.2018**  
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| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |