

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

(1)

**Crl. Misc. No.M-32133 of 2018 (O&M)
Date of Decision: October 25, 2018**

Kuldeep and another

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

(2)

Crl. Misc. No.M-37338 of 2018 (O&M)

Krishan and another

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

**Present: Mr. Keshav Pratap Singh, Advocate
for the petitioners in both the petitions.**

Mr. Amrik Narwal, D.A.G. Haryana.

**Mr. R.S. Sihota, Senior Advocate with
Mr. B.R. Rana, Advocate
for the complainant.**

SURINDER GUPTA, J.(Oral)

Both the aforementioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.174 dated 14.06.2017 registered for the offence punishable under Sections 148, 323,341, 506 read with Section 149 of Indian Penal Code(for short-IPC) and Sections 324, 325, 326 IPC have been added later on, at Police Station Bahin, District Palwal.

Heard.

Learned State counsel submits that petitioners Kuldeep, Surender (in CRM-M-32133-2018) and petitioners Krishan, Lajja Ram (in CRM-M-37338-2018) have joined the investigation, which is still in progress and has now been transferred to Crime Branch. However, the weapon used by them in the occurrence has not been recovered so far.

It is a case of cross-version and admittedly injuries were received on both sides. As per the plea raised by the petitioners, the occurrence is admitted and the police has to verify as to which party was aggressor.

Keeping in view the above facts and that the injuries attributed to the petitioners in both the petitions are simple in nature, but without expressing any opinion on the merits of the case, both these petitions are allowed. Orders dated 08.08.2018 passed in CRM-M-32133-2018 and dated 29.08.2018 passed in CRM-M-37338-2018 are made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court;
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

October 25, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No