

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

Date of decision: 12.07.2018

1. CRM-M-36923-2016 (O&M)

Bhim Sain Mittal and another

....Petitioners

Versus

State of Haryana

....Respondent

2. CRM-M-37793-2016 (O&M)

Madan Lal @ Sharawan

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Deipa Singh, Advocate
for the petitioners (in CRM-M-36923-2016).

Ms. Ramandeep Kaur, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner (in CRM-M-37793-2016).

Mr. Himmat Singh, DAG, Haryana.

Mr. Gaurav Chopra, Advocate
for the complainant (in CRM-M-36923-2016).

Mr. Chetan Bansal, Advocate
for the complainant (in CRM-M-37793-2016).

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in both these petitions is for grant of anticipatory bail to the petitioners in FIR No.232 dated 29.09.2016 under Sections 386, 364A, 506, 511, 120-B IPC, registered at Police Station Uklana, District Hissar.

Learned counsel for the petitioners submit that the petitioners have joined the investigation in pursuance of the orders dated 18.10.2016 and 21.10.2016 passed by this Court.

A perusal of the record shows that these petitions are pending since 2016 and the orders, vide which the petitioners were granted interim anticipatory bail, were extended from time to time.

Learned State counsel, on instructions from SI Raj Kumar and assisted by learned counsel for the complainant, has however opposed the prayer for bail on the ground that the petitioners are still required for further investigation. It is further submitted that challan has already been presented against six other accused persons and one accused person namely Rajesh is absconding. Learned State counsel has further submitted that while submitting the challan against aforesaid six accused persons, Sections 364A, 386, 506, 511 IPC were deleted.

After hearing learned counsel for the parties, considering the fact that the petitioners are on interim anticipatory bail since October 2016 and against them report under Section 173 Cr.P.C. is not submitted on account of pendency of these petitions, I deem it appropriate to confirm the aforesaid orders dated 18.10.2016 and 21.10.2016 to enable the

Investigating Officer to complete the investigation against the petitioners and submit the report under Section 173 Cr.P.C.

In view of the above, these petitions are disposed of and the orders dated 18.10.2016 and 21.10.2016 granting interim anticipatory bail to the petitioners are made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Learned counsel for the complainant have however shown apprehension that since an FIR under Section 307 IPC was registered subsequently against Madan Lal @ Sharawan, necessary protection be granted to the complainant.

The Superintendent of Police, Hisar is directed to ensure safety of life and liberty of complainant Ram Dev Mittal. Liberty is also granted to the complainant as well as the Investigating Officer to move an application for cancellation of bail in case the petitioners are found misusing the concession of bail or found extending any threat to the complainant or the witnesses.

Disposed of, accordingly.

[ARVIND SINGH SANGWAN]
JUDGE

12.07.2018
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No