

CRM-M-42333-2018

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

CRM-M-42333-2018

Date of Decision: 23.10.2018

Ajay and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bikram Chaudhary, Advocate,
for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioners-Ajay and Ravinder alias Lala have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.283 dated 14.07.2018, registered at Police Station Old Faridabad, District Faridabad, under Sections 323, 341, 379-B, 506 and 34 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

From the record, I find that FIR, in the present case, has been

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registered on the complaint of Anil. In his complaint, the complainant stated that on 14.07.2018, at about 10.00 A.M, when he alongwith his friends was going towards Rajiv Chowk on his motor-cycle, three boys came there on a motor-cycle from the side of Sector 17 Chowk and stopped his motor-cycle. When the complainant objected to it, all of them started fighting with him. In the meantime, 7-8 more boys came there and they all started beating him. It is also mentioned in the FIR that they snatched ₹7,000/- and one gold chain from the complainant and also threatened to kill him. Both the petitioners are named in the FIR.

In pursuance of the interim order dated 26.09.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 26.09.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

23.10.2018

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No