

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

CRM-M-42437-2017 (O&M)

Date of decision: 29.01.2018

Natha Ram & another

... Petitioners

Vs.

State of Haryana

... Respondent

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

Present: Mr. J.P. Sharma, Advocate for the petitioners.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioners seek concession of anticipatory bail in case FIR No.368, dated 04.09.2017, under Sections 323/452/506/34 IPC, registered at Police Station Kanina, District Mohindergarh.

While issuing notice of motion, the following order was passed by this Court on 10.11.2017:

“Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner(s) in case FIR No. 368 dated 4.9.2017, registered under Section(s) 323, 452, 506 & 34 IPC at Police Station Kanina, District Mohindergarh.

Learned counsel for the petitioners contended that as per medicolegal report of the complainant, all the injuries are simple in nature and petitioners are ready to join investigation.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh, Deputy Advocate General, Haryana accepts notice on behalf of respondent. A copy of paper-book be provided to learned counsel for the respondent(s) during the course of the day.

List on 29.1.2018.

Meanwhile, petitioner(s) are directed to join the

investigation. In the event of arrest, petitioner(s) shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner(s) will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

Learned State counsel upon instructions from ASI Lal Singh apprises the Court that the petitioners have since joined investigation. The observations made by this Court in the notice of motion order dated 10.11.2017 have gone un rebutted.

Counsel representing the petitioners would also contend that the present FIR is a counter blast to FIR No.365, dated 02.09.2017, under Sections 147/148/149/323/452/506 IPC, registered at Police Station Kanina, District Mohindergarh at the instance of petitioner No.2 herein and in which there were specific allegations against Sunil S/o Raj Kumar, who is the complainant in the present FIR i.e. FIR No.368, dated 04.09.2017, under Sections 323/452/506/34 IPC, registered at Police Station Kanina, District Mohindergarh.

In view of the above, prayer made in the present petition is accepted.

Petition is allowed. Order dated 10.11.2017 passed by this Court is made absolute.

Disposed of.

29.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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