

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-51121 of 2018

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Date of decision:6.12.2018

Babu Ram

.....Petitioner

v.

State of Haryana

.....Respondent

....

(2) Criminal Misc. No.M-51220 of 2018

.....

Subhash alias Multan Singh

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Ravi Dutt Sharma, Advocate for the petitioners.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana for
the respondent-State.

Mr. R.S. Mamli, Advocate for the complainant.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions
filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR
No.0113 dated 16.8.2018 registered for the offences under Sections 148,
149, 323, 326, 341 and 506 IPC at Police Station Dhand, Distt. Kaithal.

Notice of motion has been issued in these cases.

Mr. Tanuj Sharma, learned Assistant Advocate General,

Haryana has put in appearance on behalf of the respondent-State and Mr. R.S. Mamli, learned Advocate has appeared for the complainant and contested these petitions.

I have heard learned counsel for the parties and learned State counsel appearing for the respondent-State and have gone through the record.

The allegation against the petitioners is that they have wrongfully restrained the complainant party. No injury has been attributed to them. Even there is nothing in the FIR that they were armed with any weapon.

The present petitioners have already joined the investigation. As stated they are not required for any custodial interrogation. Nothing is to be recovered from them. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the cases, I find merit in these petitions and the same are allowed. The interim orders dated 21.11.2018 passed by this Court granting interim bail to the petitioners are 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.

December 6, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No