

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

Sr. No.101+210

**CRM-M-26311-2018 (O&M)
Date of decision : 19.3.2019**

Jagdish Arora and others

..... Petitioners

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sarfraj Hussan, Advocate, for the non-applicants/petitioners.

Mr. D.R. Singla, DAG, Haryana

Mr. Lokesh Sinhal, Advocate,
for the applicant-complainant/respondent No.2.

SUDHIR MITTAL, J. (Oral)

CRM-4654-2019

The applicant-complainant/respondent No.2 wishes to place on record report of the National Human Rights Commission.

Notice of motion.

Mr. Sarfraj Hussan, Advocate, accepts notice on behalf of the non-applicants/petitioners and Mr. D.R. Singla, DAG, Haryana, accepts notice on behalf of the State of Haryana. They have no objection in case the application is allowed.

Accordingly, the application is allowed subject to all just exceptions and report of the National Human Rights Commission is taken on record.

CRM-M-26311-2018

The present FIR i.e. No.425 dated 5.6.2018 has been registered at Police Station Saran, District Faridabad, under Sections 323, 325, 34, 506 IPC (Section 452 IPC added later on, which now stands deleted). The allegations therein are that petitioner No.2 caused injuries with an iron rod and a base ball

bat upon the complainant Manmohan and his father and that petitioner No.1 abused both of them while the complainant-Manmohan was parking his car.

It appears that the families of the complainant and the petitioners are at logger heads. In respect of an incident, which allegedly took place on 1.6.2018, a complaint of even date was submitted by petitioner No.3 Bhupinder Kumar that he was beaten up by the complainant and his father. On 4.6.2018, another complaint was filed by Neha (daughter of petitioner No.1) alleging that on 1.6.2018, the complainant and his father had attempted to outrage her modesty and that the complainant had been stalking her for more than 10 days. The complaint dated 4.6.2018, filed by Neha resulted in registration of FIR No.9 of even date, registered under Sections 354-A, 323 and 325 IPC. I am informed that the challan in this case has already been presented and that the accused therein are on regular bail.

Learned State counsel submits that pursuant to interim orders passed by this Court, the petitioners have joined investigation and recovery has also been effected. The truth of the matter will be revealed only after the trial. Presently, there are allegations and counter-allegations.

Accordingly, the petition is allowed. Since, the petitioners have joined investigation and have cooperated therewith, interim bail granted to the petitioners vide order dated 19.6.2018, is made absolute subject to compliance of conditions enshrined under Section 438(2) of the Code of Criminal Procedure, 1973 by them.

(SUDHIR MITTAL)
JUDGE

19.3.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No