

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

**CRM-M-14924-2019
Date of decision: 15.05.2019**

Amar Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Liaqat Ali, Advocate
for the petitioners.

Mr. Sukhdeep Singh Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 29 dated 06.03.2018 under Sections 148, 149, 323, 325, 427, 452, 506 of the Indian Penal Code and Section 25 of the Arms Act registered at Police Station Rozka Meo, District Nuh (Mewat), Haryana. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 01.04.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the present FIR itself contains the fact that there are already cases against the parties on account of previous enmity. As per the present FIR recorded on the statement of Binesh Devi (complainant), few persons had entered her house and name of the petitioner Amar Singh is mentioned. However, no specific role is attributed to him. As regards the other petitioner namely Shiv Charan, there is no allegation that he entered into the house of the

complainant.

Notice of motion for 15.05.2019.

In the meanwhile, petitioners shall join the investigation and would come present as and when called for and in the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Harkesh does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Harkesh further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.04.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

15.05.2019

SHABHA

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No