

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

211

CRM-M-49529-2018 (O & M)
Date of Decision:30.01.2019

Kamlesh and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Kumar Yadav, Advocate
for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.288 dated 18.10.2018, under Sections 147, 149 (wrongly written 1249 in the impugned order), 323, 452 and 506 of the Indian Penal Code ('IPC' – for short) registered at Police Station Kasola, District Rewari.

On 06.11.2018, this Court had passed the following order:-

“The petitioners have sought pre-arrest bail in case FIR No.288 dated 18.10.2018 under Sections 147, 148, 323, 452, 506 IPC, registered at Police Station Kasola, District Rewari.

Learned counsel for the petitioners contends that cross-FIRs have been filed by the petitioners and the complainant party on each other. As per the allegations, the petitioners have received 9 injuries and the members of the complainant party have received 5 injuries. All the injuries received by both the parties are declared simple in nature. A civil dispute with regard to a plot is already

pending between the parties.

Notice of motion for 30.1.2019.

Meanwhile, in the event of his arrest, the petitioners- Kamlesh, Rachna, Anju and Lala Ram shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. They are also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioners contends that in pursuance of the order dated 06.11.2018, the petitioners have joined the investigation.

Learned State counsel on instructions from SI Bahadur Singh submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 06.11.2018, is made absolute.

The petition stands allowed.

30.01.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No