

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

**CRM-M-27512-2019
Date of decision: 09.09.2019**

Chandan Dhingra and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Aditya Jain, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.179 dated 16.05.2019, registered under Sections 148, 149, 285, 427, 506 IPC and Section 25 of Arms Act at Police Station Sector-5, Panchkula.

The operative part of the order dated 28.06.2019, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that in fact, prior to registration of the present FIR, with regard to the same/similar incident, two FIRs i.e. FIR No.138 dated 16.05.2019 under Sections 147, 148, 323, 506 IPC and Section 25 of Arms Act, Police Station Chandimandir, District Panchkula and FIR No.177 dated 16.05.2019 under Sections 427 & 506 IPC, Police Station Sector-5, Panchkula were registered against the complainant. It is further submitted that though the Additional Sessions Judge has initially granted the concession of interim anticipatory bail to the petitioners and they have joined the investigation, however, the same was dismissed only on the ground that the petitioners are not cooperating in the

investigation. Learned counsel further submits that the petitioners are still ready to join the investigation. Learned counsel for the petitioners has further submitted that even in the FIR got registered from the petitioners' side, complainant Amit has already filed CRM-M-26566-2019, in which, on 11.06.2019, notice of motion has been issued for 07.09.2019.

Notice of motion for 07.09.2019.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 28.06.2019, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Gurmeet Singh, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 28.06.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

09.09.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No