

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31468-2019 (O&M)
Date of decision: 19.08.2019

Narender @ Ninder and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kartar Singh, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.988 dated 10.11.2018 under Sections 333, 353, 186 IPC (Sections 307, 506, 189, 34 IPC added later), registered at Police Station City Ballabgarh, District Faridabad.

While granting interim bail to the petitioners, following order was passed by this Court on 25.07.2019: -

“...Counsel for the petitioners has submitted that while granting bail to co-accused Sunil, the following order was passed by this Court on 30.04.2019 in CRM-M No.15742 of 2019:-

“Learned counsel for the petitioner submits that as per the allegations in the FIR, co-accused Kuldeep gave a spade

blow on the forehead of the SPO Sandeep Kumar, who had gone to spot to calm down the dispute between the two rival groups.

Learned counsel for the petitioner further submits that as per the allegations, the injury invoking Section 307 IPC is not attributed to the petitioner and he is ready to deposit a demand draft of Rs. 30,000/- favouring the complainant/SPO Sandeep Kumar, without any prejudice to his right to defence.

Learned State counsel, on instructions from ASI Ram Pal, has not disputed the factual position and submitted that challan has already been presented and the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned and on deposit of a demand draft of Rs. 30,000/- favouring SPO Sandeep Kumar, which shall be handed over by the trial Court to the official concerned.”

Counsel for the petitioners has further submitted that the injury invoking Section 307 IPC is attributed to co-accused Kuldeep. It is also submitted that the petitioners are ready to hand

over a demand draft of Rs.30,000/- (each) favouring the injured/victim SPO Sandeep Kumar.”

Learned counsel for the petitioners submits that in pursuance of the aforesaid order, petitioners have joined the investigation and are not required for any further investigation.

Learned State counsel, on instructions from SI Rakesh Kumar, has not disputed the factual position and states that the petitioners are no more required for any further investigation and they have also handed over the demand draft of Rs.30,000/- each favouring victim SPO Sandeep Kumar, to the Investigating Officer.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 25.07.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

19.08.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No