

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

209)

CrI. Misc. No.M-32064 of 2019(O&M)
Date of Decision: 18.12.2019

Arun and others

.....Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Gautram Kaile, Advocate, for
Mr. Rajiv Sharma, Advocate,
for the petitioners.

Mr.Surinder Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 438 of the
Cr.P.C., the petitioners seek the concession of 'anticipatory bail'.

Pursuant to a detailed order passed on 19.11.2019, an affidavit
of Sh. Rajesh Kumar, Deputy Commissioner of Police, Ballabgarh, District
Faridabad, has been filed in Court today by learned State counsel, a copy of
which has been given to the counsel for the petitioner and is ordered to be
taken on record.

In the affidavit, it is stated that the FIR registered at the
instance of the petitioners, was registered in September 2019 only, on

account of the fact that an application for recording such cross version was made by one Gaurav (not a petitioner) only on 03.09.2019.

It has further been stated that as per the enquiry conducted, including a perusal of the CCTV footage, the petitioners were found to be the aggressor party, who are even stated to have broken the door of the house of the complainant, as per the allegation made in the FIR registered against the petitioners.

They are otherwise stated to have joined investigation but are stated to be not cooperating, inasmuch as they are not getting the weapons of offence recovered. However, the said weapons are stated to be only '*dandas*' (sticks).

That being so, without making any comment on the actual merits of the case, for or against the petitioners, which actually would be eventually a matter of evidence, and seeing that the accused in the FIR lodged at the instance of the petitioners are also on bail as already recorded in the previous order, this petition is allowed, with the order dated 19.11.2019, granting interim bail to the petitioners, made absolute on the same terms and conditions.

18.12.2019

Satyawan

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: no