

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

CRM-M-50696 of 2019

Date of decision: 28.11.2019

Arjun and Ors.

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. S.K Panwar, Advocate for the petitioners.

HARINDER SINGH SIDHU, J.

Prayer is for grant of anticipatory bail in case FIR No.222 dated 01.10.2018 under Sections 323,341,506,365,34 IPC (Section 307 IPC added later on) registered at P.S Nagina, District Nuh.

The FIR was registered on the complaint of Noor Mohd, who alleged that on 27.09.2018 at 7.00 pm, his son Sajid had gone to attend the call of nature in the forest, however, he did not come back. Even his mobile was switched off. Thereafter, on being searched in the forest, Sajid was found to be in unconscious condition. The investigation was conducted and accused Moin, Altaf and Muneb were arrested. Report under Section 173 Cr.P.C was filed and said accused were sent for trial. The petitioners were found innocent and were kept in column No.2.

During the trial, PW1 deposed that the petitioners along with other accused had caused injuries to said Sajid. Thereafter, an application under Section 319 Cr.P.C was moved and the present petitioners were summoned to face the trial.

Learned counsel for the petitioner states that the petitioners were initially exonerated by the police while filing report under Section 173

Cr.P.C on having been found innocent. No offence as alleged in the FIR is made out against the petitioners and that they are not involved in any other case. He states that charges have been framed in this case and out of 12, 05 witnesses have already been examined.

Notice of motion.

Mr. Ashish Sanghi, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before the date fixed. On their doing so, they shall be enlarged on bail by the trial Court subject to their furnishing bail bonds and surety bonds to its satisfaction. They shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.

November 28, 2019
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No