

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-13537 of 2020

Date of Decision: 17.06.2020

Maharaj Singh and Others

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Amrainder Singh, Advocate
for the petitioner(s).

Mr. Deepak Sabharwal, Additional Advocate
General, Haryana for the respondent.

Anil Kshetarpal, J.

The petitioner prays for grant of pre-arrest bail in a criminal case arising out from FIR No. 74 dated 29.02.2020, registered under Section 323, 324, 452, 506 & 34 IPC at Police Station Old Faridabad, District Faridabad.

On 02.06.2020, the following order was passed:-

“CRM-11848-2020

Application is allowed subject to just exceptions.

Filing of instant petition without affixing Court fee/process fee and supporting affidavit is dispensed with.

CRM-M-13537-2020

Notice of motion.

On the asking of the Court, Mr. Apoorv Garg,

DAG, Haryana, accepts notice.

Counsel for the State is directed to obtain the opinion of the doctor relating to Injury No. 1 which is incised wound 5 cm x 7 cm over the chest of Santveer-complainant, which injury has been attributed to Amit Kumar.

As regards petitioners No. 1 and 3, keeping in view the role attributed to them and the injuries, the said petitioners are directed to join investigation before the Investigating Officer at Police Station Old Faridabad, District Faridabad on 05.06.2020 at 10 A.M.

In case the said petitioners are arrested, they shall be released on bail to the satisfaction of the Arresting Officer, subject to the conditions as contained in Section 438 (2) Cr. P.C. They will join the investigation as and when required.

List on 11.06.2020.”

On 11.06.2020, learned counsel for the State has informed that injury No.1, attributed to petitioner No.2-Amit Kumar, is simple in nature and not dangerous to life. This Court has also made the interim bail granted to petitioner No.1-Maharaj Singh and petitioner No.3-Anuj Kumar absolute and directed petitioner No.2 to join investigation vide order dated 11.06.2020, which reads as under:-

“Learned counsel for the State has informed the Court that as per the Medico Legal Report, injury No.1 is 5cm x 1cm and not 5 cm x 7 cm over the chest of Santveer, first informant. He further informed the Court that the aforesaid injury is simple in nature, not dangerous to life.

Learned counsel for the petitioners further submits

that petitioner Nos.1 and 3 have joined investigation, cooperated and not required for further custodial interrogation.

Keeping in view the aforesaid facts, interim bail granted to petitioner Nos.1 and 3 on 02.06.2020 by this Court, is made absolute. Petitioner No.2 is directed to join investigation.

Adjourned to 17.06.2020.

In the meantime, in the event of arrest, petitioner No.2 shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, petitioner No.2 shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Mr. Sabharwal, on instructions from Assistant Sub Inspector Hardeep Singh, has submitted that petitioner No.2 has joined investigation, co-operated and not required for further custodial interrogation.

Keeping in view the aforesaid facts, interim bail granted to petitioner No.2 on 11.06.2020 is made absolute.

Disposed of.

(Anil Kshetarpal)
Judge

June 17, 2020
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No