

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

203

CRM-M-14196-2020

Kavinder @ Binder

... Petitioner

Versus

State of Haryana

... Respondent

CRM-M-15243-2020

Ajaib Singh

... Petitioner

Versus

State of Haryana

... Respondent

Decided on : 21.08.2020

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Brijender Kaushik, Advocate, for the petitioner.

Mr.Anant Kataria, D.A.G., Haryana.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Present petitions have been filed under Section 438 Cr.P.C., by the petitioners for grant of anticipatory bail in FIR No.46 dated 23.05.2020 lodged under Section 3 of Epidemic Diseases Act, 1897, Sections 148, 149, 188, 269, 270, 323, 379B & 506 IPC at Police Station Raipur Rani, Panchkula.

On 05.06.2020 in CRM-M-14196-2020, the following order had been passed:

“Counsel for the petitioner inter alia contends that Section 379- B IPC is the non-bailable offence and the snatching is of a mobile phone, details of which have not been given. The dispute is qua a bara in the village and civil litigation with other co-villagers has been decided on 30.05.2019 (Annexure P-2) wherein, it had been held that possession on the plot as such could not give a title. Earlier an FIR bearing No. 118 dated 14.08.2019 was lodged against the large number of persons of the village by the father of the complainant-Rahul namely Chaman Singh (Annexure P-3). The present FIR now has been lodged against the petitioners who are not party to the civil litigation. The injuries on the persons as such are simple in nature and by virtue of the litigation as such, common plot is sought to be grabbed.

Notice of motion.

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203 CRM-M-14196 & 15243-2020

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Mr. Chetan Sharma, AAG, Haryana accepts notice.

Adjourned to 21.08.2020.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.”

Similarly, on 07.07.2020, in CRM-15243-2020, the following order was passed:

“Places reliance upon pendency of CRM-M-14196-2020, which is pending for 21.8.2020 (Annexure P-8) and interim order dated 05.06.2020 passed therein. It is submitted that Ajaib Singh is the husband of the Sarpanch and, therefore, has been falsely implicated in the case on account of the dispute qua the plot/Bara in the village.

Mr. Chauhan, has opposed the bail application.

Adjourned to 21.08.2020. To be heard alongwith above said petition.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail by the investigating officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438 (2) Cr.P.C.”

Counsel for the petitioners submits that the petitioners have joined investigation. Said fact is vouched by the State Counsel, on instructions from ASI-Devi Dayal. He further submits that the petitioners are not required for further investigation, at this stage.

Accordingly, in view of the above, the interim bail granted on 05.06.2020 & 07.07.2020 are made absolute.

Petitions stand disposed of.

**(G.S. SANDHAWALIA)
JUDGE**

AUGUST 20, 2020
sailesh

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No