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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14204-2020 (O&M)

Date of decision-04.09.2020

Jasbir Singh @ Monu and another

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanpreet Sandhu, Advocate for the petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J.

CRM-12484-2020

Application is allowed as prayed for.

Main case

This petition has been filed by the petitioners under Section 438 read with Section 482 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.187 dated 14.03.2020 under Sections 148, 149, 323 and 506 of Indian Penal Code, 1860 and Section 3 of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Sections 279 and 337 IPC added later on) registered at Police Station Yamuna Nagar City, District Yamuna Nagar.

Learned counsel for the petitioners has apprised the Court that vide order dated 13.07.2020, petition for grant of anticipatory bail qua

petitioner No.2 was withdrawn as 15 FIRs of similar nature were pending against him, however, the petition was kept alive for petitioner No.1. The petitioner No.1 apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 13.07.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to petitioner No.1. The said order reads as under:-

“Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.187 dated 14.03.2020 registered under Sections 148/149/323/506 IPC and 3 of the SC & ST Act (Sections 279/337 IPC added later) at Police Station Yamuna Nagar City, District Yamuna Nagar.

Counsel for the petitioners, at the very outset, submits that he may be permitted to withdraw this petition qua petitioner No.2 –Sachin Pandit as 15 FIRs of similar nature are pending against him.

Ordered accordingly.

Counsel for the petitioners has argued that qua petitioner No.1 – Jasbir Singh @ Monu, there are no specific allegation in the FIR except that he was named without any specific attribution. It is further submitted that he is involved in the FIR pertaining to the year 2009 and even there is no attribution of using derogatory language against the complainant, which is attributed to Sumit Rana (co-accused).

Reply by way of affidavit of the Deputy Superintendent of Police, Yamuna Nagar, filed in the Court is taken on record.

List again on 04.09.2020.

In the meantime, the petitioner No.1 – Jasbir Singh @ Monu is directed to appear before the Investigating Officer within a period of 10 days from today to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any*

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

3. He shall not leave India without previous permission of the Court.”

Learned counsel for the petitioner further contends that in deference to the said order, petitioner No.1 submitted himself before the Police and joined the investigation. According to him, petitioner No.1 cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Suresh Kumar does not dispute this fact that petitioner No.1 has joined the investigation and he is not required for custodial interrogation for the time being.

Considering above, the petition is allowed qua petitioner No.1 and the interim bail granted by this Court vide order dated 13.07.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

04.09.2020

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