

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14517-2020(O&M)

Date of Order:27.07.2020

Sukham @ Sukh Ram and others

..Petitioners

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kumar Goyal, Advocate,
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana

Mr. Navneet Singh, Advocate, for the complainant.

ANIL KSHETARPAL, J(Oral)

On 11.06.2020 and 17.06.2020, the following orders were
passed:-

11.06.2020

“The petitioners (10 in number) pray for grant of pre-arrest bail in a criminal case arising out from FIR No.477, dated 08.12.2019, registered under Sections 147/148/149/285/506IPC and Sections 25 and 54 of the Arms Act, 1959, at Police Station Kundli, Sonapat.

In a nutshell, the case of the prosecution is that the petitioners along with their co-accused had taken possession of the agricultural land and sowed the wheat crop. Thereafter, when party representing the first informant went to the land, the petitioners and other co-accused did not permit them to enter the agriculture land. The petitioners also threatened the first informant and others with dire consequences if they come near the land.

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Learned counsel for the petitioners contends that the petitioners have been falsely implicated. In fact, it is the petitioners, who are in possession of the land and it is the first informant and his accomplices who were trying to dispossess them from the agricultural land.

On the other hand, learned counsel representing

the first informant submits that there are as many as 3 FIRs against the petitioners. It is not in dispute that the first informant or his accomplices did not suffer any injury. The main dispute between the parties appears to be with regard to possession of the agricultural land.

Notice of motion for 17.06.2020.

On asking of this court, Mr. Deepak Sabharwal, Additional Advocate General, Haryana, accepts notice on behalf of the State.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.”

17.06.2020

“Learned counsel for the petitioners has submitted that petitioner no.1, 3, 4 and 6 to 8 have joined investigation. However, remaining petitioners could not join the investigation due to their ill health. However, he submits that if another opportunity is granted, the remaining petitioners would join the investigation.

Keeping in view the aforesaid facts, another opportunity is granted to the remaining petitioners to join the investigation.

Adjourned to 27.7.2020.

Interim order to continue.”

Learned counsel appearing for the State, on instructions from SI Satbir Singh, has submitted that all the petitioners have joined the investigation, cooperated and are not required for further custodial interrogation.

In view thereof, interim orders dated 11.06.2020 and 17.06.2020 passed by this Court are made absolute.

Accordingly, the present petition is allowed.

July 27, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No