

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

**CRM-M-14796-2020 (O&M)
Date of Decision: 18.08.2020**

Pawan Kumar and another

.....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.S. Mamli, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioners in FIR No.0245 dated 22.05.2020 registered under Sections 365, 382, 506, 34 IPC at Police Station City Fatehabad, District Fatehabad.

While issuing of notice of motion, the following order was passed by this Court on 06.07.2020:-

*Matter has been taken up through video conferencing
via Webex facility in the light of the Pandemic Covid-19
situation and as per instructions.*

*Petitioners seek concession of pre-arrest bail in FIR
No.0245 dated 22.5.2020 registered under Sections 365, 382,*

506, 34 I.P.C at Police Station, City Fatehabad, District Fatehabad.

Counsel for the parties have been heard.

Counsel for the petitioners would contend that even as per version of complainant Sandeep Kumar he was taken to a house at a particular location and had consumed liquor along with the present petitioners. It is argued that under such circumstances the allegation of abduction cannot sustain. Counsel asserts that it is a case of false implication. The petitioners are otherwise ready and willing to join investigation.

Learned State counsel on a specific query informs the Court that the petitioners are not involved in any other criminal proceedings.

List on 18.8.2020.

In the meanwhile, petitioners are directed to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Baldev Raj informs the Court that the petitioners have since joined investigation.

That apart the observations made by this Court in the notice of

motion order have gone un rebutted.

In view of the above, petition is allowed. Order dated 06.07.2020 passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

August 18, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No