

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.14819-2020

Date of Decision: November 06, 2020

Rehmu & others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Farikh Abdulla, Advocate,
for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.203 dated 04.10.2019, under Sections 148, 149, 323, 506 IPC and Sections 307 and 325 IPC (added later on), registered at Police Station, Rozka Meo, District Nuh. The petitioners apprehended their arrest at the hands of police in the above FIR.

On 11.06.2020, while issuing notice of motion to the respondent-State, the following order was passed.

“The case has been taken up for hearing through video conferencing.

The petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of

anticipatory bail in case FIR No.203 dated 04.10.2019 registered under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Rozka Meo, District Nuh to which Sections 307 and 325 of the IPC were added lateron.

Learned Counsel for the petitioners has submitted that the petitioners who were attacked by the complainant party have been falsely implicated in the present case. Injuries declared to be dangerous to life are attributed to co-accused Salman and Arman. The injuries attributed to the petitioners were declared to be simple. The petitioners are ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Kuldeep Tiwari, Addl. A.G., Haryana accepts notice on behalf of the respondent-State. Copy of the paper book has already been supplied to learned State Counsel by the Registry.

Learned State Counsel seeks time to file reply.

Adjourned to 06.08.2020.

In the meanwhile, the petitioners are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioners shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall not be entitled to the protection of interim bail allowed to them."

There is no representation on behalf of the petitioners.

Learned State counsel, on instructions, contends that in deference to the said order, the petitioners submitted themselves before the police and joined the investigation. He further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.06.2020 is made absolute.

November 06, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

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