

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208(1)

CRM-M-15122-2020(O&M)

Date of Order:06.08.2020

Charan Singh @ Charana and others

..Petitioners

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aman Paul, Advocate,
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana

Mr. M.P.S.Mann, Advocate,
for the first informant/complainant.

ANIL KSHETARPAL, J(Oral)

On 15.06.2020, the following order was passed:-

“This matter is being taken up for hearing through video conference/WhatsApp due to the pandemic COVID-19.

Mr. Aman Pal contends that the petitioners have been falsely implicated in this case. He submits that this is a case of version and cross-version. The dispute is with regard to flow of water in the village and both the parties are inhabitants of the same village. He further submits that no specific roles have been attributed to the petitioners and even petitioners No.1, 3 & 5 have not been named in the FIR or in the statement recorded under Section 161 Cr.P.C. He further submits that no recovery has to be effected from the petitioners and in such circumstances custodial interrogation of the petitioners may not be necessary or required. Investigation may go on.

Issue: Notice of motion.

Since advance copy of the petition stands already served, Mr. Saurabh Mohunta, DAG, Haryana, accepts notice on behalf of the respondent-State. He may file reply if he wishes.

List on 06.08.2020.

In the meanwhile, petitioners shall appear before the Investigating Officer/Arresting Officer as and when required and shall fully cooperate in the investigation of this case. In the event of their arrest, petitioners shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer. Petitioners shall comply with the conditions as stipulated in Section 438(2) Cr.P.C.”

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 already joined the investigation as directed by the High Court. He further contends that no specific role is attributed to the petitioners except general allegations of extortion and pelting of bricks and stones.

Mr. MPS Mann, Advocate, has appeared for the first informant.

Learned counsel for the State, on instructions from ASI Arvind Kumar, has stated that the petitioners have joined the investigation, cooperated and are not required for further custodial interrogation.

In view thereof, the interim order dated 15.06.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

August 06, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No