

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

CRM-M-15749-2020

Date of Decision: 18.08.2020

Baldev Singh and others**.. Petitioners****Vs.****State of Haryana****..Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. L.M. Gulati, Advocate for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

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Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.73 dated 04.06.2020 under Sections 148, 149, 323, 324 and 506 IPC (Section 326 IPC added later on), registered at Police Station Panjokhra, District Ambala. They apprehended their arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 19.06.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“This matter is being taken up for hearing through Video conference/WhatsApp due to the pandemic COVID-19. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.73 dated 4.6.2020 under Sections 148, 149, 323, 324, 506 of the IPC later on added Section 326 of IPC registered at Police Station Panjokhra, District Ambala. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. Learned counsel submits that a bare perusal of the FIR would show that no specific role has been attributed to any of the petitioners. However, subsequently during investigation, the complainant came up with the version that the petitioners gave danda blow to the complainant. None of the petitioners have been attributed the

injury falling under the ambit of Section 326 of the IPC.

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 has vehemently opposed the grant of ad interim anticipatory bail to the petitioners.

List on 18.8.2020.

Without going into the merits of the case which are matter of investigation and trial, this Court upon hearing learned counsel for the parties is of the view that in this case ad interim anticipatory bail would be just and proper and will serve ends of justice as an interim arrangement pending investigation etc.

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

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 ASI Harjinder Singh does not dispute this fact that the petitioners have joined the investigation and further states that they 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 19.06.2020 is made absolute.

18.08.2020

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No