

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

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**CRM-M No.19076 of 2020 (O&M)
Date of decision:17.07.2020**

Ram Parkash and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ashit Malik, Advocate for the petitioners.

Ms. Gagandeep Kaur, Asstt. A.G. Haryana.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioners have filed this petition under Section 438 of Cr.P.C. for grant of anticipatory bail in case FIR No.215, dated 22.05.2020 registered under Sections 148, 149, 323, 452, 506 of IPC at Police Station Kharkhoda, District Sonapat.

Counsel for the petitioners has submitted that the sole injury attributed to petitioner No.1-Ram Parkash is a lathi blow on the complainant which was declared to be simple. According to him, there is no attribution qua, petitioner No.2-Manjeet. He has further relied upon the order dated 09.07.2020 passed by this Court in CRM-M No.16649 of 2020, *Amarjeet @ Monu and others Versus State of Haryana* wherein the role of both the petitioners have been noticed.

Notice of motion.

On the asking of the Court, Ms. Gagandeep Kaur, Asstt. A.G.

Haryana, who is available through video conferencing accepts notice on behalf of the State of Haryana.

Upon instructions of SI Satnarayan, state counsel has not been able to dispute the factual position.

At this stage without meaning anything on merits of the case, it would be appropriate to direct the petitioners to appear before the SHO/Investigating Officer to join investigation on 28.07.2020 and in the event of their arrest, they shall be released on bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioners shall make themselves available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; iii) that the petitioners shall not leave the country, without prior permission of the Court and shall surrender their passport, if any.

Petition stands disposed of.

17.07.2020

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No