

205-1

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

CRM-M-19168-2020 (O&M)

Date of decision : 09.09.2020

Devender

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Kunal Dawar, Advocate
for the petitioner(s).

Ms. Dimple Jain, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

On 21.07.2020, the following order was passed:-

“Heard through video conferencing.

The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.347 dated 24.07.2018 under Sections 148, 149, 306, 323, 324, 341, 427, 506 IPC read with Section 25 of the Arms Act, 1959 (Sections 306 IPC and Section 25 of the Arms Act, 1959 were deleted and Sections 326 and 307 IPC were added later on) registered at Police Station Hodal, District Palwal, Haryana.

It has been contended by the learned counsel for the petitioner that the petitioner has not been named in the FIR. Learned counsel for the petitioner would further contend that Geeta, the daughter of the complainant Bijender, was married to one Jasbir Singh in the year 2013 and two

children were born out of the wedlock. Jasbir Singh committed suicide on 23.07.2018. He further contends that the allegation in the FIR is that the complainant and his son were attacked by some people while they were on their way back from the house of Jasbir Singh where they had gone after Jasbir Singh had committed suicide. He further contends that similarly situated co-accused has already been granted interim anticipatory bail in CRM-M No.9230 of 2020 (Harveer vs State of Haryana) vide order dated 02.03.2020.

Notice of motion.

On the asking of the Court, Mr. B.S. Virk, DAG, Haryana has joined the session through video conferencing and accepts notice. A complete paper-book has already been furnished to him. He is not in a position to deny that the similarly situated co-accused has already been granted interim anticipatory bail by this Court in CRM-M No.9230 of 2020.

To be heard along with CRM-M No.9230 of 2020 on 09.09.2020.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.

Today learned counsel for the State, on instructions from Sh. Dharambir, HPS, DSP, State Crime Branch, has stated that the petitioner has since joined the investigation on 13.08.2020 and has fully

co-operated. He further submits that an iron rod has been recovered from him. However, he is no longer required for any further investigation as of now.

In view of the above, the order dated 21.07.2020 is made absolute. However, the petitioner shall join the investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

The present petition stands disposed off accordingly.

09.09.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO