

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

**202(4)**

**CRM-M-23608-2020(O&M)**

**Date of Order:12.10.2020**

**Jarnail singh and another**

**..Petitioners**

**Versus**

**STATE OF HARYANA**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Amit Choudhary, Advocate,  
for the petitioners.  
Mr. Chetan Sharma, AAG, Haryana

**ANIL KSHETARPAL, J(Oral)**

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

On 20.08.2020, the following order was passed:-

*Petitioners-Jarnail Singh and Samander, stated to be aged 23 & 19 years respectively, has filed the present petition under Section 438 Cr.P.C. inter alia with a prayer for grant of anticipatory bail in case FIR No.170 dated 03.07.2020, registered under Sections 148, 149, 285, 323, 452 & 506 of Indian Penal Code, 1860 and Section 25 of Arms Act 1959 (Section 325 IPC added later on), at Police Station Sadar Palwal, District Palwal.*

*Learned Counsel for the petitioners, at the outset, submits that in the FIR, allegations pertaining to Section 325 IPC, primarily attributed to one Lakhmi Chand, who has been granted interim protection by this Court vide order dated 05.08.2020 (Annexure P-1A), passed in CRM-M-21633- 2020. He further submits that other co-accused have also been granted interim protection by this Court vide orders dated 05.08.2020, passed in CRM-M-21657-2020 and CRM-M-21681-2020 (Annexures P-1B & P-1C).*

*Notice of motion.*

*On asking of the Court, Mr. Rajiv Goel, DAG, Haryana, accepts notice on behalf of the State.*

*Learned State counsel, on instructions from HC Kuldeep Singh, does not dispute the fact that co-accused have been granted bail by this Court, however, he opposes the bail on merits.*

*Counsel for the petitioners submits that the petitioners are ready to join the investigation. He submits that because of COVID situation also, retention of the petitioners in jail would be dangerous to their lives.*

*Adjourned to 12.10.2020.*

*Without commenting upon merits of the case and in view of the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer to join investigation.*

*In the event of arrest, the petitioners shall be released on interim bail, subject to their furnishing bail/surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.*

*To be heard along with CRM-M-21633-2020.”*

Learned counsel appearing for the State, on instructions from HC Kuldeep Singh, has submitted that the petitioners have joined the investigation, cooperated and are not required for further custodial interrogation.

Keeping in view the aforesaid facts, the interim order dated 20.08.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

**October 12, 2020**  
**nt**

**(ANIL KSHETARPAL)**  
**JUDGE**

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