

CRM-M-24650-2020(O&M)

Date of decision : 04.11.2020

Balwinder Singh alias Bhundar Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.G.S.Sidhu, Advocate for the petitioner.

Mr.Saurabh Mohunta, DAG, Haryana..

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No. 82 dated 03.08.2020, registered under Sections 147, 149, 323, 452, 506 IPC, at Police Station Rori, District Sirsa.

On 27.08.2020 while issuing notice of motion the following order was passed by this Court:-

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Inter alia contends that the allegations have been levelled against the present petitioner as also a number of other co-accused of having trespassed into the house of the complainant and having delivered brick bat blows.

Counsel argues that the injuries suffered by the petitioner in the alleged occurrence have been opined to be simple in nature and it is a case of false implication on account of a party faction in the village.

Counsel has fairly brought to the notice of this Court that the petitioner was involved in 9 other FIRs, but in 6 matters, he has already earned acquittal and in 2 other FIRs, petitioner has been granted concession of bail.

Notice of motion, returnable for 04.11.2020.

Mr. Saurabh Mohunta, learned DAG, Haryana, who has joined proceedings, accepts notice.

A complete copy of the petition already stands furnished.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

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

Learned State Counsel, upon instructions from ASI Bhupinder Singh, informs the Court that the petitioner has since joined investigation and is not required for custodial interrogation.

In view of the above, petition is allowed. Order dated 27.08.2020 passed by this Court is made absolute.

(TEJINDER SINGH DHINDSA)
JUDGE

04.11.2020
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No