

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

203

**CRM-M-26303-2020(O&M)
Date of Order:27.10.2020**

Parasram @ Parsi

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Farukh Abdullah, Advocate,
for the petitioner.

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 07.09.2020, the following order was passed:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.170 dated 03.07.2020, registered under Section 148, 149, 323,325, 452, 506 & 285 IPC and 25 of the Arms Act, 1959, at Police Station Sadar, Palwal.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Palwal, in para 3 of its order dated 17.08.2020, which is extracted as under:-

“Brief facts of the present case are that present case is based upon the complaint of Rimal Singh in which he alleged that on 03.07.2020 at about 6.45 p.m. he was sitting with his brother at his house then accused Chandroo, Gernail, Samay Singh, Dalbir Singh, Jitender, Devender, Bobby, Lakhmi, Parsu Ram, Samunder and other persons came with rods, Farsa, knife and pistol. They entered their house and attacked on him and his brother. When the other family member came to rescue the complainant the accused persons also attacked on them and caused injuries. They also threatened to kill them in near future. On the basis of which present FIR was lodged”.

Learned counsel for the petitioner contends that as per the allegations levelled in the FIR, the petitioner is

alleged to have fired in the air from his pistol and exhorted the other accused that no one should go unharmed. He further contends that the co-accused of the petitioner, namely, Jarnail Singh and another have been granted interim pre-arrest bail vide order dated 20.08.2020 passed by this Court in Criminal Misc. No.M-23608 of 2020.

Notice of motion.

On the request of this Court, Mr. Chetan Sharma, Assistant Advocate General, Haryana, accepts notice.

In the event of arrest of the petitioner, he shall be released on interim pre-arrest bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Let this petition be listed for hearing along with Criminal Misc. No.M-23608-2020 on 12.10.2020, the date already fixed therein.”

On 12.09.2020, the following order was passed:-

“Sh. Chetan Sharma, Assistant Advocate General, Haryana, on instructions from HC Kuldeep Singh, has submitted that the petitioner had joined the investigation, however, the alleged pistol could not be recovered as the petitioner has stated that he had thrown the pistol at some place.

Keeping in view the aforesaid facts, let the petitioner join the investigation once again.

Adjourned to 27.10.2020.

In the meantime, interim order to continue.”

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

Keeping in view the aforesaid facts, the interim order dated 07.09.2020, passed by this Court, is made absolute.

Accordingly, the present petition is allowed.

October 27, 2020

nt

Whether speaking/reasoned

Whether reportable

(ANIL KSHETARPAL)
JUDGE

: Yes/No

: Yes/No