

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

104(2)

CRM-M-30419-2020(O&M)

Date of Order:27.10.2020

Ajay and another

..Petitioners

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Prabhjeet Singh Sullar, 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 30.09.2020, the following order was passed:-

“The petitioners pray for grant of pre arrest bail in a criminal case arising from FIR No.129 dated 01.08.2020 registered under Sections 148, 149, 323, 324, 506 of the Indian Penal Code, 1860, at Police Station Narwana City, District Jind. (Section 326 IPC has been subsequently added).

As per the allegations, the petitioners along with co-accused had caused hurt to Iqbal.

Learned counsel for the petitioners contends that the petitioners were granted the concession of bail by the Magistrate vide order dated 05.08.2020. However, the Prosecuting Agency, on subsequent addition of offence under Section 326 of IPC, is now attempting to arrest the petitioners without informing the concerned Magistrate in this regard. He further contends that the learned Magistrate did not cancel the bail granted to the petitioners.

Notice of motion.

Mr. Chetan Sharma, AAG, Haryana accepts notice on behalf of the respondent-State and seeks time to get instructions.

Adjourned to 15.10.2020.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to

furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

To be heard alongwith CRM-M-29774 of 2020.”

Learned counsel appearing for the State, on instructions from SI Gurmail 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 30.09.2020, passed by this Court, is made absolute.

Accordingly, the present petition is allowed.

October 27, 2020
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(ANIL KSHETARPAL)
JUDGE

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