

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

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**CRM-M-32416-2020 (O&M)
DATE OF DECISION: 25.11.2020**

MEHAR CHAND AND ANR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amit Choudhary, Advocate for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Vishwajeet Singh, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

CRM-28632-2020

This is an application for impleadment of the complainant as respondent No.2.

For the reasons stated in the application, the same is allowed and the complainant is ordered to be impleaded as respondent No.2.

MAIN CASE

The petitioners are seeking anticipatory bail in FIR No.121 dated 12.06.2020, under Sections 148, 149, 323, 341, 506 IPC (Sections 325 and 307 IPC added subsequently), registered at Police Station Hassanpur, District Palwal.

Learned counsel for the petitioners contends it is alleged in the FIR that 04 co-accused, who were armed with lathis, dandas and iron rods in their hands, had restrained and given beatings to injured Jasbir. It has also been mentioned that co-accused Vinod, Deepak and Devinder had given specific injuries to injured Jasbir. It is only stated in the later part of the FIR

that the petitioners along with other persons had also come to the spot and started giving fists and kicks to Jasbir. He, however, contends that in the MLR of the injured, there is only one injury. The FIR is a counter-blast to the FIR registered by the sister of the co-accused Vinod against Jasbir under Section 376 IPC.

Learned counsel for the complainant contends that in view of the serious allegations against the petitioners, they are not entitled to the concession of anticipatory bail.

This Court, by the order dated 28.10.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Ashmo, states that the petitioners have joined the investigation.

In view of the submissions of learned counsel for the petitioners and the petitioners having joined investigation, the order dated 28.10.2020 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

25.11.2020

SwarnjitS

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