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

CRM-M No.55694 of 2019

Date of Decision: 24.02.2020

SAHIL KHAN AND ORS

.....Petitioners

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. G.C. Shahpuri, Advocate
for the petitioners.

Mr. Surender Singh, A.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioners seek grant of anticipatory bail in case bearing FIR No.175 dated 08.09.2017 registered under Sections 148/149/323/307/506 IPC at Police Station Chhapar, Yamuna Nagar.

On 01.01.2020, following order was passed by this Court:-

“Learned counsel for the petitioner contends that coaccused Bhura and Bundu Khan have already been granted regular bail by the High Court in Criminal Miscellaneous No. 34799 of 2018 on 20.10.2018. Thereafter co-accused Mustaq Ali and Akram Khan were also granted regular bail dated 02.11.2018. Co-accused Akhtar Ali was granted regular bail on 12.12.2019. A compromise was effected between the parties for which

CRM-M-No. 51068 of 2019 for quashing of FIR on basis of compromise is pending for 30.03.2020. Petitioners have not been attributed by specific role of causing injuries to the complainant or injury to Sanjeev Kumar. Petitioner No.1 allegedly caught hold of the injured Sanjeev Kumar and no injury has been attributed to him. So far as petitioner No 2 to 8 are concerned, out of them petitioners No. 2, 6 and 7 though have been named in the FIR but no specific injuries have been attributed to them. Petitioner No. 2 to 5 even have not been named in the FIR.

Notice of motion for 24.02.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 16.01.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Learned counsel for the petitioners submitted that the fatal injuries are attributed to Mustaq Ali and Akram Khan, who have already been granted regular bail by the Court on 02.11.2018. Co-accused Akhtar Ali was also granted regular bail on 12.12.2019. A compromise was effected between the parties and a quashing petition i.e. CRM-M No.51068 of 2019 is pending in this Court for 30.03.2020.

On the other hand, learned State counsel submitted that Investigating Officer of the case has not turned up.

Keeping in view the nature of controversy pending

between the parties, I deem it appropriate to confirm the interim order dated 01.01.2020 passed by this Court. However, the petitioners shall keep on joining the investigation as and when directed to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Liberty is granted to learned State counsel to move an appropriate application for cancellation of anticipatory bail in case, statement of fact pleaded and argued by learned counsel for the petitioners is found to be otherwise.

Petition stands disposed of.

February 24, 2020

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No