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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4141-2020 (O&M)
Date of Decision: 10.11.2021

Sombir @ Tinku and another

.. Petitioners

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.K. Yadav, Advocate for the petitioners.

Mr. Bhupender Singh, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.296 dated 12.08.2018 under Sections 148/149/323/324/452/506 IPC (later on Section 307 IPC added and Section 452 IPC deleted), registered at Police Station Kanina, District Mahendergarh. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners have invited the attention of the Court to the order dated 30.01.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“It is stated that co-accused of the petitioner, namely Karan Singh has been granted pre-arrest bail by this Court and the injury under Section 307 IPC is attributed to David. Further, the petitioners are ready and willing to join the investigation.

Notice of motion for 31.03.2020.

The petitioners are directed to join the investigation by contacting the Investigating Officer within 05 days from today and render all sort of cooperation. The

petitioners are to surrender their passports before the Investigating Officer, if they have got one, otherwise to furnish affidavits in that regard. If, in the meanwhile, they are arrested, they be released on bail to the satisfaction of the Investigating Officer/Arresting Officer ”

Learned counsel for the petitioners further states that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Narender does not dispute this fact that the petitioners have joined the investigation and are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 30.01.2020 is made absolute.

10.11.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No