

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6401-2020 (O&M)

Date of Decision:- 1.7.2021

Sandeep and another Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kamal Sharma, Advocate, for the petitioners.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Bijender.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.1106, dated 30.12.2019, Police Station Model Town, District Panipat, under Sections 365, 323, 506, 120-B IPC.
2. The FIR in question was lodged at the instance of Aman wherein it is alleged that on 20.12.2019 he was called by a person named Rajiv near Virat Nagar Tower and when he went there, he was forced into a car by Aman Dubey, Ashwani, Sandeep and Rajiv and was taken to fields and was given beatings. He was kept detained for 3/4 hours and was again taken in a car but he subsequently managed to escape.
3. Learned counsel for the petitioners has submitted that he has falsely been implicated in the instant case and that the falsity would be

evident from the fact that the FIR came to be lodged after about 10 days of the alleged occurrence. It has further been submitted that there is no evidence to substantiate the allegations of the beatings given to the complainant.

4. Opposing the petition, learned State counsel has submitted that since the petitioners are specifically named in the FIR, no case for grant of bail is made out. It has however, been informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation and is not wanted in any other case.
5. Having regard to the facts and circumstances of the case especially that there is a delay in lodging of FIR and there is no medical evidence to support the assertions of the complainant and also that the petitioners have already joined investigation, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 13.2.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

1.7.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No