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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8300-2020 (O&M)
Date of Decision: 26.11.2021

Prince Sethi and others

.. Petitioners

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aditya Sanghi, Advocate for the petitioners.

Mr. Sukhdeep Parmar, 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.32 dated 04.02.2020, under Sections 323, 325, 147, 149 and 452 IPC, registered at Police Station, Sadar Sirsa. The petitioners apprehend their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 26.02.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel contends that the minor dispute between the parties turned ugly and both sides received injuries. He submits that the petitioners are accused in FIR No.32 dated 04.02.2020, under Sections 323, 325, 147, 149 and 452 IPC, registered at Police Station, Sadar Sirsa, whereas at the instance of Kiran Sethi, a cross-version was recorded through separate FIR No.36 dated 07.02.2020, under Sections 323, 506 read with Section 34 IPC, Police Station, Sadar Sirsa. According to the learned counsel, in the given facts, the custodial interrogation of the petitioners may not be necessary,

who are ready to join the investigation.

Notice of motion for 15.07.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

At this stage, Mr. Mayank Goyal, Advocate causes appearance on behalf of the complainant.”

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 HC Sarwan 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 26.02.2020 is made absolute.

26.11.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No