

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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**CRM-M-13297-2021
Date of decision: 06.12.2021**

HARPREET SINGH AND ORS.

.....PETITIONERS

Versus

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Satnam Singh Gill, Advocate
for the petitioners.

Mr. Amreek Singh Narwal, DAG, Haryana
for the respondent-State.

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners, in case, FIR No. 195 dated 11.09.2020 registered under Sections 148, 149, 323, 341 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Ismailabad, District Kurukshetra to which Sections 325 and 326 of the IPC were added later on.

Notice of motion was issued on 23.03.2021 and vide order dated 24.03.2021, arrest of the petitioners was stayed. Thereafter, vide order dated 15.09.2021, Co-ordinate Bench of this Court, granted interim anticipatory bail to the petitioners with direction to join the investigation. Relevant part of order dated 15.09.2021 reads as under :-

“In view of aforesaid, it would be just and appropriate to direct the petitioners to appear before the SHO/Investigating Officer to join investigation on 23.09.2021 at 11.00 a.m. and in the event of their arrest, they shall be enlarged on interim bail, subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioners has, while reiterating submissions made on 15.09.2021, submitted that in compliance with order dated 15.09.2021, the petitioners have joined the investigation and they may be granted anticipatory bail as their custodial interrogation is not required in the case.

Learned State Counsel has, on instructions from S.I. Puran Dass, acknowledged that in compliance with order dated 15.09.2021 passed by this Court, the petitioners have joined the investigation and that their custodial interrogation in the present case is not required.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioners is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioners deserve grant of anticipatory bail.

Therefore, the petition is allowed and order dated 15.09.2021 granting interim bail to the petitioners is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions enumerated in Section

438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to them.

06.12.2021
kavneet singh

(SANT PARKASH)
JUDGE

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