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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.15319 of 2021 (O&M)

Decided on: 05.10.2021

Raghubir Singh and others

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vikram Singh, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Dr. Deepak Jindal, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners No.1, 2, 3 and 5 pray for grant of anticipatory bail in FIR No.142 dated 26.02.2021, registered under Sections 148, 149, 296, 323, 324, 427, 452, 506 IPC and (Section 326 IPC added later) at Police Station Karnal Sadar, District Karnal.

The operative part of the order dated 07.04.2021, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“....Counsel for the petitioners would contend that this is a case of version and cross-version where both the sides have suffered injuries.

Notice of motion.

At this stage, Ms. Deepshikha Chauhan, AAG Haryana, who is present in court, accepts notice on behalf of the respondent-State.

Learned State counsel is handicapped. On account of poor internet connectivity, she is not able to receive instructions.

Dr. Deepak Jindal, Advocate accepts notice on behalf of the complainant and files the power of attorney, which is taken on record.

Counsel for the complainant would submit that grievous injuries have been caused by the petitioners herein and they would not be entitled for the concession of anticipatory bail.

I have heard learned counsel for the parties.

No injury has been attributed to petitioner No.1-Raghubir Singh and petitioner No.2-Mukesh Kumar. As regards, petitioner No.3-Ved Pal, counsel for the petitioners submits that he has already been released on regular bail under various sections other than Section 326 of IPC, as such, since the matter has already been investigated, his custodial interrogation would not be required. So far as petitioner No.5-Gaje Singh is concerned, the role attributed to him is of giving a lathi blow to Jatin on his back, which injury is simple in nature. As regards petitioner No.4-Sandeep, the allegations as set out in the FIR are that he gave a gandasi blow on the head of the complainant, however, the complainant was able to deflect the same. Resultantly, the complainant suffered an injury on his arm, which has been held to be grievous in nature. It is argued that as he was released on regular bail, his custodial interrogation would not be required in the matter.

Adjourned to 05.10.2021....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 07.04.2021, the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the State, on instructions from ASI Umesh Kumar, has not disputed the aforesaid fact and submits that the petitioners No.1, 2, 3 and 5, are no more required for further

investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners No.1, 2, 3 and 5 vide order dated 07.04.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petition qua petitioner No.4 stands dismissed as withdrawn.

(ARVIND SINGH SANGWAN)
JUDGE

05.10.2021
yakub

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