

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-11274-2020
Date of decision: 12.08.2021

Aditya Partap and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Manoj Pundir, Advocate for the petitioners.
Mr. Bhupinder Singh, DAG, Haryana.
*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.)*

ARUN PALLI, J. (Oral)

Vide this petition under Section 438 Cr.P.C., the petitioners pray for an anticipatory bail in FIR No.430, dated 10.08.2019, under Sections 148, 149, 323 & 506 IPC, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

Upon hearing the learned counsel for the petitioners, this Court vide order dated 17.03.2020 had released the petitioners on interim bail:-

“It is stated that all the offences except offence under Section 506 IPC are bailable. The main accused has already been granted interim bail by this Court and further the petitioners are ready and willing to join the investigation.

Notice of motion for 11.05.2020.

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 have to surrender their passports before the Investigating

Officer, if they have got ones, otherwise to furnish affidavit in that regard. If, in the meanwhile, they are arrested, they be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Further, an order was also passed by this Court on 02.07.2021:-

“Case taken up through video conferencing.

Learned counsel for the petitioners has contended that petitioners have since joined the investigation and have been released on interim bail.

Ld. State counsel, on instruction from SI Mem Singh conceded this fact, adding that recovery of dandas from the petitioners is yet to be effected. The Investigating Officer may call the petitioners again so as to make them join the investigation and make efforts to get the recovery effected and then the Court be informed in that regard. Adjourned to 12.08.2021. Interim order to continue till then.”

Learned State counsel, on the instructions from ASI Rajeev, submits that pursuant to the order dated 17.03.2020 (ibid) the petitioners have since joined the investigation and co-operating with the Investigating Agency, they are not required for any further custodial interrogation.

In the wake of the above, and as also the challan is yet to be filed, there is hardly any possibility of the trial being concluded in the immediate future. Accordingly, the order dated 17.03.2020 is made absolute.

The petition is accordingly disposed of.

However, the petitioners shall join the investigation as and when required and shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

12.08.2021
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO