

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

CRM-M-17421-2021
Date of decision: 16.09.2021

Manjeet and another

... Petitioners

Versus

State of Haryana

... Respondent

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

Present: Mr. Pawan Kumar Hooda, Advocate for the petitioners.
Mr. Anmol Malik, DAG, Haryana.
Mr. Jasbir Mor, Advocate, for the complainant.
*(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 of Cr.P.C., the petitioners pray for anticipatory bail in FIR No.97, dated 01.04.2021, under Section 307 IPC (Sections 302 & 120-B IPC added lateron), registered at Police Station Sector 13/17 Panipat, District Panipat.

Upon hearing the learned counsel for the parties, this Court vide order dated 21.05.2021 had granted interim bail to the petitioners:

“Submits *inter alia* that a bare perusal of the FIR would go to show that assault on the victim leading to his death subsequently took place while the said victim was already in Police custody, along with Balwan Singh, who happens to be father of the present petitioners, and that the FIR lodged by the Police Officer concerned also imputed the assault only to the said Balwan Singh, and that the present petitioners, who are his sons have been motivatedly roped in later, at the instance of the deceased's relatives.

Now, to come up on 15.09.2021.

Meanwhile, in the event of arrest of the petitioners by the Arresting/Investigating Officer, they shall be released on interim bail subject to the following conditions:-

1. That they shall make themselves available for interrogation by a Police Officer as and when required;
2. That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any Police Officer and;
3. That they shall not leave India without prior permission of the Court.”

Learned State counsel, upon instructions from SI Satish Kumar, submits that both the petitioners had since joined the investigation and as no recovery is to be effected from them, they are not required for any custodial interrogation/investigation.

In the wake of the above, the order dated 21.05.2021 is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. and shall join the investigation as and when called upon to do so.

The petition is accordingly disposed of.

16.09.2021
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO