

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

210

(I) CRM-M-24905-2021 (O&M)

Dharamvir @ Visla & others ...Petitioners

Versus

State of Haryana ...Respondent

(II) CRM-M-37245-2021 (O&M)

Laxmi Devi & another ...Petitioners

Versus

State of Haryana ...Respondent

Date of Decision: 18.11.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: None for the petitioners.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Inderaj.**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of the aforesaid two petitions i.e. CRM-M-24905-2021 filed on behalf of Dharamvir @ Visla & others and CRM-M-37245-2021 filed on behalf of Laxmi Devi & another, seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.163 dated 30.05.2021 at Police Station Chand Hut, District Palwal, under Sections 148/149/341/379-B/427 IPC.

2. At the time of issuance of notice of motion in CRM-M-24905-2021, the following order was passed on 02.07.2021:

“Learned counsel for the petitioners submits that it is infact a case where a distorted version has been put forth on behalf of the complainant and infact the real facts are that is the petitioners, who had been attacked by the complainant party and regarding which Lakshmi Devi, sister of petitioners No.2 and 3, had submitted a complaint to the police incharge on 26.5.2021 and to Superintendent of Police, Palwal on 27.5.2021 i.e. much after lodging of the FIR in question.

Notice of motion for 18.11.2021.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. In the connected case also, this Court while granting interim bail to the petitioners on 09.09.2021 passed the following order:

“Learned counsel for the petitioners submits that although the allegations in the FIR are to the effect that 6-7 persons who had come on motorcycle and a Wagon-R car, waylaid the complainant who was going in his Scorpio vehicle and that the said persons damaged his vehicle and also caused injuries to him with the help of ‘rods’ and ‘sticks’ and that later he was able to know about the identity of three of the said persons to be Bisla, Lalit and Rahul, but the petitioners are nowhere named in the FIR.

It has been submitted that in fact it is a case of cross-versions wherein the petitioners had in fact been attacked by the complainant party, in respect of which initially an application was submitted to Chowki Incharge on 26.5.2021 (Annexure P-1) and to Superintendent of Police on 27.5.2021 (Annexure P-2) and

that the instant FIR which was lodged subsequently on 30.5.2021 is in fact a counterblast.

It has further been submitted that another co-accused has already been granted interim bail by this Court vide order dated 2.7.2021 passed in CRM-M-24905-2021 (Annexure P-5).

Notice of motion for 18.11.2021.

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4. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, all the petitioners have since joined investigation and are not required for any custodial interrogation. It has also been informed that none of the petitioners is wanted in any other case.
5. Having regard to the aforestated position, wherein all the petitioners are stated to have joined investigation and are not required for any custodial interrogation, both the petitions are accepted and the interim directions issued by this Court vide orders dated 02.07.2021 and 09.09.2021 passed in CRM-M-24905-2021 and CRM-M-37245-2021 respectively are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. A photocopy of this order be placed on the connected file.

18.11.2021

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(GURVINDER SINGH GILL)
JUDGE

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