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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27884-2021

Date of decision-26.10.2021

ISHWAR SINGH AND ANR

...Petitioners

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashish Pannu, Advocate
for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.381 dated 25.06.2021, under Sections 186, 332, 341, 353 read with Section 34 Indian Penal Code, 1860, registered at Police Station Rai, District Sonapat (Haryana). The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 10.08.2021, whereby, the interim protection was extended to the petitioners. The said order reads as under:-

“The case has been taken up for hearing through video conferencing.

Petitioners-Ishwar Singh and Arvind have filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, "the Cr.P.C.") for grant of anticipatory bail in case FIR No.381 dated 25.06.2021 registered under Sections 186, 332, 341 and 353 read with Section 34 of the

Indian Penal Code, 1860 at Police Station Rai, District Sonapat.

Status report by way of affidavit of Vipin Kadian, HPS, Deputy Superintendent of Police, Head Quarter, Sonipat on behalf of respondent-State has been filed in the Registry of this Court which is taken on record. Copy thereof be supplied to learned Counsel for the petitioner.

On request, case is adjourned to 26.10.2021.

In the meanwhile, the petitioners are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioners shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall not be entitled to the protection of interim anticipatory bail allowed to them.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Shamsheer Singh does not dispute this fact that the petitioners have joined the investigation and they are not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 10.08.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.10.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No