

202-A

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

CRM-M-24876-2020

Date of decision-06.04.2021

RAFI AND OTHERS

...Petitioners

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Sukhdeep S. 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. 87 dated 29.05.2020 under Sections 148, 149, 323, 341, 506 & 307 (added later on) Indian Penal Code, 1860 registered at Police Station Pratap Nagar, District Yamuna Nagar. 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 21.01.2021, whereby, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners has argued that in the alleged occurrence, petitioner-Hussain also suffered grievous injuries and the cross-version has also been recorded by the police.

Learned State counsel, on instructions from ASI Suresh Kumar, submits that the victim, in all, has suffered five injuries and the injuries suffered on his head were caused by Hussain and Meerhassan (petitioner Nos. 1 & 2 in CRM-M-24631-2020). It is also not disputed that the cross-version has also been recorded on the basis of

statement of petitioner Hussain for commission of offence punishable under Section 325 IPC. According to him, rest of the injuries caused by the other co-accused were found to be simple.

Adjourned to 06.04.2021.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

A photocopy of this order be placed on the file of the connected matter.”

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 Shamsher 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 above, the petition is allowed and the interim bail granted by this Court vide order dated 21.01.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.04.2021

Vipin kumar	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No