

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30517-2021 (O&M)
Date of Decision:-7.12.2021

Santosh and another	Versus	... Petitioners
State of Haryana		... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Choudhary, Advocate for the petitioners.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Ajay.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.451 dated 11.7.2021 at Police Station Barwala, District Hisar under Sections 323, 324, 341, 427, 506 and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion on 3.8.2021, the following order was passed:

“Learned counsel for the petitioners contends that the complainant and the petitioners are related inter se and that the dispute is regarding property left by mother-in-law of petitioner No.1.

Learned counsel contends that the allegations are to the effect that the petitioners along with Satya Narain i.e. father of petitioner No.2 had caused injuries to the complainant. It has been submitted that the grievous injury is attributed to the non-applicant Satya Narain and that while petitioner No.1 is attributed an blow with a “binda” (stick) on back of the complainant and is also alleged to have thrown a brick hitting the right arm of the complainant, the petitioner No.2 is stated to be simply standing at the spot and is alleged to have exhorted his companions to cause injuries.

It is contended that petitioner No.1 who at best is attributed a simple injury is a lady and petitioner No.2 is alleged to have barely exhorted his companions.

Notice of motion for 7.12.2021.

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 Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions, has informed that during the course of investigation petitioner No.2 has been found to be innocent. It has also been informed that while the allegation against petitioner No.1 pertaining to inflicting a blow with stick has been found to be false, but the allegation to the effect that she had slapped the injured has been found to be correct. It has, however, been informed that pursuant to interim directions the petitioners have joined investigation and are not involved in any other case.
4. Having regard to the fact that petitioner No.1, who is a lady, is found to have given slaps only to the injured and while also noticing that petitioner No.2

has been found to be innocent and that the petitioners have already joined investigation and are not involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 3.8.2021 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.

7.12.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No