

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

**CRM-M-35548-2021 (O&M)**

(1) Munesh ...Petitioner

Versus

State of Haryana ...Respondent

(2) **CRM-M-36755-2021 (O&M)**

Rahul ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision:- 2.11.2021

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. P.S.Sullar, Advocate for the petitioner (s).

Mr. Rajiv Sidhu, DAG, Haryana  
assisted by Inspector Vinay Kumar.

*(proceedings conducted through video conferencing)*  
\*\*\*\*\*

**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the above mentioned two petitions filed on behalf of Munesh and Rahul seeking grant of anticipatory bail in a case registered vide FIR No.43 dated 2.2.2021 under Sections 148, 149, 323, 379-B, 427, 447, 506 IPC and Sections 27/54/59 of the Arms Act, 1959 at Police Station Kanina, District Mohindergarh.
2. At the time of issuance of notice of motion in CRM-M-35548-2021, the following order was passed on 31.8.2021 :-

“This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 43, dated 2.2.2021 registered under Sections 148, 149, 323, 379 B, 427, 447, 506 IPC and

under Section 27 of Arms Act, 1959 at Police Station Kanina, District Mohinderghar.

FIR was lodged on the complaint of one Birender Singh who stated that he alongwith his employee Hanuman was present at his petrol pump HP Kotia Pump. Munesh (petitioner), Mahabir (husband of petitioner), Rahul, Raj Singh and Ram Chander alongwith 10-12 goons came in a pick up truck and attacked the complainant. They inflicted injury with iron rod on the head of complainant. The complainant saved himself by raising his hand. Accused took away Rs. 516000/- from his office. They also snatched mobile, LED, TV, bed, fridge, almirah and other documents relating to petrol pump including ATM card, credit card, 2 cheques, cheque book, DVR etc. They broke the cameras installed at petrol pump.

Learned counsel for petitioner has argued that petitioner infact is real owner of petrol pump. A dispute has arisen between complainant and petitioner regarding dealership of petrol pump. The complainant has forcibly occupied the petrol pump. Accused Mahabir (husband of petitioner), Birender alias Dhandhu and Rajesh have been arrested. The recoveries of allegedly snatched articles have already been effected from them. The investigation in case is complete and challan has been filed against them. Petitioner is ready and willing to join investigation and cooperate in same.

Notice of motion.

Mr. Surender Singh, AAG Haryana accepts notice on behalf of State.

Adjourned to 2.11.2021.

In the meanwhile, in the event of arrest of petitioner, she shall be released on interim anticipatory bail to the satisfaction of Arresting Officer/Investigating Officer. She will join investigation as and when called for and cooperate in same. She will abide by conditions of Section 438 (2) Cr.P.C.”

3. When the matter pertaining to CRM-M-36755-2021 was listed for preliminary hearing, identical interim directions as regards grant of interim bail and joining of investigation were issued vide order dated 21.9.2021.
4. The learned State counsel has informed that both the petitioners, pursuant to interim directions have joined investigation. It has, however, been submitted that the petitioner Rahul is not fully cooperating inasmuch as he is not fully disclosing the names of all the co-accused.
5. I have considered rival submissions address before this Court.
6. The matter basically pertains to some dispute over a petrol pump with family of Mahabir Singh on one side and the accused on the other side. It is not in dispute that a civil suit in respect of the petrol pump in question is already pending in Civil Court. In any case, since the petitioners have already joined investigation, this Court does not find it to be a case warranting custodial interrogation.
7. Both the petitions are accepted and the interim directions issued by this Court vide order dated 31.8.2021 and 21.9.2021 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.
8. A photocopy of this order be placed on the file of connected case.

**2.11.2021**

kamal

**(Gurvinder Singh Gill)**  
**Judge**Whether speaking /reasoned  
Whether ReportableYes / No  
Yes / No