

259-C

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

CRM-M-35930-2021

Date of decision : 20.12.2021

Ravinder and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Balraj Gujjar, Advocate for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is first petition filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in FIR No.100 dated 15.05.2021 registered under Sections 147, 149, 323, 342, 506 of the Indian Penal Code, 1860 (Sections 307 and 325 of IPC have been added later on) at Police Station Jui Kalan, District Bhiwani.

On 02.09.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioners contends that in the alleged clash between two groups, both sides had suffered injuries and interestingly, the prosecution has found involvement of only 24 persons in the FIR case as against involvement of 47 as alleged by complainant, namely, Sumer Singh. He submits that in the cross version recorded at the instance of petitioner No.3 (Ajay @ Lalu),

13 persons were found involved in the alleged crime. He submits that in the alleged occurrence, petitioner No.3 and 2 other persons, namely, Hoshiar Singh and Ramesh also suffered multiple injuries. He has further placed reliance upon the order dated 01.09.2021 passed by this Court in CRM-M-35755-2021.

Notice of motion for 20.12.2021.

At this stage, Mr. Rampal Verma, Advocate appears on behalf of the complainant.

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.

To be heard along with CRM-M-35755-2021.

Sd/- (MANOJ BAJAJ)

JUDGE

02.09.2021”

Learned counsel for the petitioners has submitted that in pursuance of the abovesaid order dated 02.09.2021, the petitioners have joined the investigation.

Learned counsel for the State, on instructions from ASI Rajesh Kumar, has submitted that the petitioners have joined the investigation on 16.12.2021 and are not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances, moreso the facts which have been noticed in the order dated 02.09.2021

and also the fact that the petitioners have joined the investigation and are not required for further custodial interrogation, the present petition is allowed and the interim order dated 02.09.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

20.12.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No