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

CRM-M-35755-2021 (O&M)
Date of decision : 20.12.2021

Ramesh Kumar and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. V.P. Sangwan, Advocate for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is first petition filed under Section 438 read with Section 482 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 325 and 307 of IPC have been added later on) at Police Station Jui Kalan, District Bhiwani.

On 01.09.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioners contends that in the alleged occurrence, both sides have suffered injuries and the petitioners have been attributed simple injuries to injured Mandup Singh. According to him, though initially, 47 accused were implicated in this FIR

and subsequently, 24 accused were found innocent and similarly, in the cross case also, 13 accused have been indicted on the basis of the statement made by Ajay. According to him, in the given facts, the custodial interrogation of the petitioners may not be necessary.

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.

01.09.2021

Sd/- (MANOJ BAJAJ)

JUDGE”

Learned counsel for the petitioners has submitted that in pursuance of the abovesaid order dated 01.09.2021, 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 01.09.2021 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 01.09.2021 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