

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-37626-2021

Date of Decision : November 25, 2021

Jagtar Ram @ Jatar Singh and another

..Petitioners

Versus

State of Haryana

..Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Rana Ghuman, Advocate, for the petitioners.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.171 dated 29.07.2021, registered under Sections 147, 148, 149, 324 and 506 IPC (Section 307 IPC added later on), at Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioners contends that the petitioners have joined investigation in terms of order passed by this Court dated 10.09.2021. Order dated 10.09.2021 is as under:-

“Present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioners in respect of FIR No.171 dated 29.07.2021, registered under Sections 147, 148, 149, 324 and 506 IPC (Section 307 IPC added later on), at Police Station Sadar Ratia, District

Fatehabad.

Learned counsel for the petitioners argues that as per the allegations alleged in the FIR, a stick blow has been attributed to petitioner No.2 whereas petitioner No.1 has not been attributed any injury and the injury, which had been declared grievous in nature, has been attributed to co-accused, namely, Manjeet, who has already been arrested. Learned counsel for the petitioners further argues that the petitioners are ready to join the investigation and cooperate, hence, they may kindly be extended the benefit of anticipatory bail.

Notice of motion for 25.11.2021.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that the victim has received a grievous injury though the same has been attributed to co-accused, namely, Manjeet, who has already been arrested. Learned State counsel concedes that no grievous injury is attributed to the petitioners, but the weapon i.e. lathi attributed to petitioner No.2 is yet to be recovered.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts stated herein before especially that no grievous injury is attributed to the petitioners and they have undertaken to join the investigation and cooperate, they have made out a case for the grant of anticipatory bail.

Hence, the petitioners are directed to join the investigation forthwith. In the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on their furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following

conditions:-

(i) That they shall make themselves available for interrogation by the police officer as and when required.

(ii) That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That they shall not leave India without prior permission of the Court.

(iv) That they shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from SI Rajinder Parshad, states that in terms of the order of this Court reproduced before, the petitioners have joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioners undertakes that petitioners will join investigation and also cooperate with the investigating agency in case they are required for the same in future as well.

In view of the above, the order dated 10.09.2021 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioners are required for the investigation but are not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 25, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No