

206

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39510-2020 (O&M)
Date of decision-06.09.2021

SURESH SHARMA AND ANR.

...Petitioners

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kamal Kant, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Himmat Singh Sidhu, Advocate for
Mr. Amit Jhanji, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

CRM-90-2021

This is an application filed under Section 482 Cr.P.C. for placing on record true photocopies of Annexures P-9 to P-12.

Application is allowed. The same are taken on record.

CRM-M-39510-2020

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.300 dated 07.10.2020, under Sections 427, 447 & 511 Indian Penal Code, 1860 & Section 3 Prevention of Damage to Public Property Act, 1984, registered at Police Station Israna, District Panipat. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 05.01.2021, whereby, the interim protection was extended to the petitioners. The said order reads as under:-

“The case has been taken up for hearing through video conferencing.

***Petitioners-Suresh Sharma and Rajesh Sharma** have filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.300 dated 07.10.2020 registered under Sections 427, 447 and 511 of the Indian Penal Code, 1860 and Section 3 of the Prevention of Damage to Public Property Act, 1984 at Police Station Israna, Panipat.*

Learned Counsel for the petitioner and learned Counsel for the complainant seek some more time to place on record the copies of the relevant documents.

Adjourned to 02.03.2021.

*In the meanwhile, the **petitioners-Suresh Sharma and Rajesh Sharma** are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioners shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall not be entitled to the protection of interim anticipatory bail allowed to them.”*

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Kaptan Singh does not dispute this fact that the petitioners have joined the investigation

and they are not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 05.01.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.09.2021

<i>Vipin kumar</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No