

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-52507-2021 (O&M)
Date of Decision:-16.12.2021

Ashok Kumar and others ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hemant Bassi, Advocate for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.03 dated 5.1.2015 at Police Station Pehowa under Sections 148, 149, 323, 506 of Indian Penal Code and Section 3 of SC/ST Act, wherein offences under Sections 148, 149 of IPC omitted and offences under Sections 3(1)(III)(VIII)(IX)(X) and 3(2)(ii) of SC/ST Act were added later on.
2. It is the case of petitioners that on 7.4.2014, Rahul, Yashpal and other boys came to the shop of petitioner No.1-Ashok Kumar and hurled abuses and had an altercation with him leading to lodging of FIR No.144 dated 7.4.2014 at Police Station Pehowa under Sections 323, 324, 326, 452, 506 read with Section 34 of Indian Penal Code. It is the case of petitioners that as a

counterblast to the aforesaid FIR lodged at the instance of petitioner No.1- Ashok Kumar, the instant FIR i.e. FIR No.03 dated 5.1.2015 came to be lodged regarding the same very incident dated 7.4.2014, which infact was got lodged after almost 9 months.

3. The petitioners had earlier approached this Court seeking grant of anticipatory bail and vide order dated 1.5.2015, the petitioners were granted anticipatory bail till presentation of challan.
4. Learned counsel for the petitioners submits that now the prosecution has presented challan leading to apprehension in the minds of petitioners as regards their arrest.
5. I have heard the learned counsel for the petitioners.
6. Having regard to the facts and circumstances of the case, the instant petition is disposed off with a direction to the petitioners to surrender before the Trial Court within a period of 10 days from today and move an application for grant of regular bail. In case, any such application is filed in the forenoon of the day, the Trial Court shall dispose off the same on the very day such application is filed while duly keeping in view the fact that the petitioners had earlier been granted anticipatory bail by this Court vide order dated 1.5.2015 and that the allegations apart from SC/ST Act mainly pertain to causing of simple injuries only and that investigation is already complete, which would not warrant any kind of custodial interrogation.
7. The petition stands disposed off accordingly.

16.12.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge