

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-53844 of 2019
Date of decision:04.08.2021

Rajbir Singh and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Namit Khurana, Advocate, for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition, the petitioners seek anticipatory bail in case FIR No.138 dated 18.11.2019 registered under Sections 148, 149, 323, 324, 427, 504, 506 of Indian Penal Code, 1860, however, Section 326 of IPC, was added later on, at Police Station Buria, District Yamuna Nagar.

On 17.12.2019, following order was passed:-

“Petitioner no.3 Vishal Kumar has since been arrested, as such petition qua him has been rendered infructuous and seeks permission to withdraw this petition qua him.

Learned counsel for petitioner submits that Rajbir Singh and Rakesh Kumar though have been named in the FIR, but have not been attributed any injury.

The instant petition stands dismissed as withdrawn qua petitioner no.3.

Notice of motion for 25.3.2020.

Petitioners No. 1 and 2 are directed to surrender before the police and join investigation within two weeks. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall loose the benefit of interim bail allowed to them.”

Learned State counsel, on instructions from SI Santokh Singh submits that petitioners No.1 and 2 have joined investigation and are no longer required for custodial interrogation. He has further instructions to state that petitioners No.1 and 2 are not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 17.12.2019 granting interim bail to petitioners No.1 and 2 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

August 04, 2021
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No