

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-824-2022

Decided on :13.07.2022

Rajesh and another

. . . Petitioners

Versus

State of Haryana

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 470 dated 03.11.2021 registered under Sections 380 and 457 of the Indian Penal Code, 1860 registered at Police Station Taraori, District Karnal.

On 17.02.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“CRM No.5637 of 2022

This application has been moved for placing on record the copies of the orders dated 28.01.2022 and 03.02.2022 passed by this Court in CRM-M No.2833 & 2035 of 2022, as Annexures P-5 and P-6 respectively.

Notice in the application.

At the asking of the Court, learned State counsel accepts the notice and she submits that she has no objection in allowing this application.

Keeping in view the above-said fact as well as the reason as mentioned in this application, the same is allowed and both the above-said orders are taken on the record as

Annexures P-5 & P-6.

CRM-M No. 824 of 2022

Learned State counsel seeks some more time to file statusreport in this petition.

Let the same be filed on or before 04.03.2022.

Meanwhile, in the event of their arrest, the petitioners shall be released on interim bail subject to their furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioners shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.

17.02.2022 *Sd/-
(MEENAKSHI I. MEHTA)
JUDGE”*

Subsequently, on 04.03.2022, a coordinate Bench of this Court passed the following order:-

Status-report on behalf of the respondent-State, by way of the affidavit of Deputy Superintendent of Police, Karnal, has been received in the Court and the same is taken on the record.

Learned State counsel apprises the Court that the offences under Sections 411 and 413 IPC have also been invoked in the present case.

At this stage, learned counsel for the petitioners requests for an adjournment for moving an appropriate application for seeking amendment in the petition accordingly.

Adjourned to 13.07.2022.

Learned State counsel, on the instructions from ASI Jaswinder from Police Station Taraori, District Karnal, apprises the Court that though the petitioners joined the investigation in compliance of the order dated 17.02.2022 but they have not cooperated the investigating agency.

Faced with this situation, learned counsel for the petitioners seeks another opportunity for his clients to join the investigation and to do the needful.

Resultantly, the petitioners, through their counsel, are directed to join the investigation within a period of 10 days positively.

*Sd/-
March 04, 2022 (MEENAKSHI I. MEHTA)
JUDGE”*

Learned counsel for the petitioner has submitted that in pursuance of the above orders, the petitioner has again joined the investigation.

Learned counsel for the State, on instructions from ASI Nirmal Singh, has submitted that the petitioner has again joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the fact that the petitioner has joined the investigation, the present petition is allowed and the interim order dated 17.02.2022 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.

(VIKAS BAHL)
JUDGE

July 13th,2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No