

In the High Court of Punjab and Haryana at Chandigarh

209

CRM-M-4553-2020 (O & M)

Date of Decision: January 12, 2022

YAKOOB @ PAPPU AND ANR

.....PETITIONERS

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Munfaid Khan, Advocate for the petitioners.

Mr. Anant Kataria, DAG, Haryana.

Mr. Sarfaraj Hussain, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioners are seeking anticipatory bail in FIR No.313 dated 28.08.2019, under Sections 148, 149, 323, 325, 307, 427, 506 IPC, registered at Police Station Punhana, District Nuh.

On 10.02.2020, a Coordinate Bench of this Court had passed the following order:-

“CRM-5058-2020

Prayer made in the application is for placing on record the correct translated copies of FIRs Annexures P1 and P2.

Application is allowed. The correct translated copies of FIRs Annexures P1 and P2 are taken on record in place of Annexures P1 and P2 already placed on the file.

Main case

Learned counsel for the petitioners has argued that it was a case of cross fight and FIR Annexure P2 was registered by Mustakeem. He further submitted that the injury attributed to petitioner No.1 is a Lathi blow on the forehead of the complainant and injury attributed to petitioner No.2 is a Lathi blow on left side on the back of

the complainant. He further placed reliance upon the order dated 09.01.2020 passed by this Court in CRM-M- 403-2020—Mustakeem Vs. State of Haryana.

Notice of motion for 28.02.2020.

At this stage, Mr. Mazlish Khan, Advocate has appeared and filed Power of Attorney on behalf of complainant, which is taken on record.

Meanwhile, the petitioners shall join the investigation and would be present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioners shall”

Learned State counsel, on instructions from HC Lekhram, states that the petitioners have joined investigation.

Learned counsel for the complainant states that in view of the serious allegation against the petitioners, they are not entitled to the concession of anticipatory bail.

In view of the above and the petitioners having joined investigation, the order dated 10.02.2020 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

January 12, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No