

221

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.12978 of 2022 (O&M)
Decided on: 11.05.2022

Avinash Chand Sapra and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.K. Tripathi, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana.

Mr. Munish Mittal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.0413 dated 15.03.2022 registered under Sections 323, 379-B, 506, 34 IPC and 3 of the SC&ST Act, which was deleted later, at Police Station Shivaji Nagar, District Gurugram.

The operative part of the order dated 29.03.2022, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“...Counsel for the petitioners has argued that petitioner No.1 Avinash Chand Sapra and petitioner No.2 – Seema Kumari are husband and wife and the dispute is with the real brother of petitioner No.1 namely N.C. Sapra and his son Sushant Sapra, who are practising Lawyers in District Courts, Gurugram. It is further submitted that it is a case of version and cross-version wherein even the

petitioners' side had suffered injuries. It is also submitted that even a civil suit is pending between the parties with regard to the property (copy of which is attached). It is further argued that though the complaint against the petitioners was initially filed at the instance of one Kunal Singh Neemwala and there were allegations of invoking SC&ST Act, however, during the investigation, the same has been deleted.

Notice of motion....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 29.03.2022, the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the State, on instructions from ASI Bablish Kumar, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 29.03.2022 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

11.05.2022
yakub

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No