

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-37049-2021
Date of Decision :18.01.2022

Ramdhan

...Petitioner

Versus

State of Haryana

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. TPS Teji, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Akashdeep Singh, Advocate for
Mr. Kulvir Narwal, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.479 dated 08.08.2021 registered under Sections 147, 149, 379-B, 323, 452 and 506 of the IPC at Police Station Shivaji Colony Rohtak, District Rohtak.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of order passed by this Court on 15.09.2021. Order dated 15.09.2021 is as under:-

“Present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioners in respect of FIR No.479 dated 08.08.2021, registered under Sections 147, 149, 379-B, 323, 452 and 506 IPC, at Police Station Shivaji Colony, Rohtak.

Learned counsel for the petitioner submits that the petitioner is a senior citizen of 72 years of age and has in fact falsely been implicated in the present case. Learned counsel for the petitioner further submits that there is no specific injury or weapon attributed to the petitioner. Learned counsel for the petitioner further submits that co-accused of the petitioner, namely, Koushlya Devi, has already been granted the benefit of anticipatory bail.

Notice of motion to the respondent for 26.11.2021.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State and Mr. Kulvir Narwal, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of the complainant.

Learned State counsel submits that more than 20 people trespassed the house of the complainant and inflicted injuries and a specific allegation of snatching the mobile phone of the complainant has been attributed to the petitioner. Learned counsel appearing on behalf of the complainant submits that not only the injuries were inflicted by the petitioner, but the clothes of the complainant were torn off.

Learned counsel for the complainant further submits that there are specific allegations against the petitioner for snatching the mobile phone of the complainant, which is yet to be recovered.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is not disputed before this Court that the case relates to a matrimonial dispute between the parties concerned. Once, there are no grievous injuries received by the victim, except a few simple ones and even those have not been specifically attributed to the petitioner, the purpose of investigation will be achieved in case the petitioner is directed to join the investigation and cooperate.

Hence, the petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That he shall make himself available for interrogation by the police officer as and when required.

(ii) That he shall not, directly or indirectly, make

any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That he shall not leave India without prior permission of the Court.

(iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from S.I Raj Karan, states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 15.09.2021 passed by this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

January 18, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No