

CRM-M-38446-2021

Pardeep Kumar and another vs. State of Haryana

CRM-M-44874-2021

Gurlal Chahal vs. State of Haryana

Present:- Mr. Ashok Giri, Advocate, for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

Case heard by video conferencing.

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By this petition, the petitioners seek the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.275, dated 02.09.2021, having been registered at Police Station Ramnagar, District Karnal, alleging therein the commission of offences punishable under the provisions of Sections 406/420/120-B of the IPC.

A status report dated 06.01.2022, has been filed by the DSP, Head Quarters, Karnal, which is ordered to be taken on record.

It is stated therein that in fact pursuant to the order of this court dated 16.09.2021, petitioner no.2 had appeared before the learned JMIC on 16.11.2021, and had handed over one mobile phone consisting of two mobile sim card numbers, which was taken into police custody, with the statement of ASI Bharat Bhushan also recorded separately.

Today, learned State counsel submits that in fact a third sim card has also been handed over to the police, as per his instructions from SI Varinder.

That being so, though the affidavit states that the petition may be dismissed, there is no reason given as to why the petitioners' custodial

interrogation would be required with actually their daughter being one of the main accused, alongwith one Gurlal Singh Chahal.

Keeping in view the above, without making any comment on the actual merits of the case, the petition is allowed and the order passed on 16.09.2021, admitting the petitioners to interim bail, is made absolute.

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Since the other co-accused have already been admitted to bail by this court but with the petitioner alleged to be the prime accused in the matter, it is considered appropriate that the complainant in the FIR, is impleaded as a respondent in the petition.

Ordered accordingly.

The Registry is directed to carry out the necessary correction in the memo of parties by taking the particulars of the complainant from the FIR as has been reproduced in paragraph 2 of the petition.

Notice be issued to the newly added respondent, returnable on 15.03.2022.

Interim order to continue till the next date of hearing.

(A photocopy of this order be placed on the file of the connected case).

January 10, 2022

dharamvir//

**(AMOL RATTAN SINGH)
JUDGE**