

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

208

**CRM-M-43135-2021
Date of decision: 10.01.2022**

KRISHNA AND OTHERS

.....PETITIONERS

Versus

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Ram Karan Agnihotri, Advocate
for the petitioners.

Mr. Saurav Girdhar, AAG, Haryana
for the respondent-State.

SANT PARKASH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

Prayer in this petition under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners, in case, FIR No. 404 dated 25.06.2021 registered under Sections 323, 452, 506 read with Section 34 of the Indian Penal Code, 1860 at Police Station Assandh, District Karnal.

The present FIR was lodged on statement of Chandro Devi, who alleged that she is having a a civil dispute with the petitioners with regard to illegal possession by the petitioners over her house. The petitioners are her neighbours. On 24.06.2021, in the evening, the petitioners armed with dandas entered her house and assaulted her and

her brother Om Parkash. The petitioners criminally intimidated the complainant and threatened to kill her for filing civil suit in the Court.

Vide order dated 12.10.2021, Co-ordinate Bench of this Court granted interim anticipatory bail to petitioner No. 1- Krishna only and on joining of investigation by petitioner No. 1- Krishna, her custodial interrogation not required, the same was made absolute vide order dated 01.12.2021. However, the case of petitioner No. 2 and 3 – Vinod and Vikas @ Rohtash for grant of anticipatory bail, in the present FIR, was adjourned.

Learned Counsel for the petitioner has submitted that now petitioner No. 2 and 3 – Vinod and Vikas @ Rohtash, respectively have joined the investigation and they may be granted anticipatory bail as their custodial interrogation is not required in the case.

Learned State Counsel has, on instructions from A.S.I. Sultan Singh, acknowledged that petitioner No. 2 and 3 have joined the investigation and that their custodial interrogation in the present case is not required.

After having heard and considering the factual position discussed above and the custodial interrogation of the petitioner No. 2 and 3 not being required, the present petition is disposed of with a direction to the petitioner No. 2 and 3 – Vinod and Vikas @ Rohtash, respectively to join the investigation and remain present as and when called for and in the event of their arrest, the petitioners shall be admitted to bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall

also abide by the conditions as specified under Section 438(2) Cr.P.C.
failing which the protection of anticipatory bail order shall not be
available to them.

10.01.2022
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No