

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.230

CRM-M No.47614 of 2021(O&M)

Date of Decision:04.02.2022

Bhajan @ Bhajji & anr.

...Petitioners

Versus

State of Haryana

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Mukesh Rao, Advocate,
for the petitioners.

Ms. Ambika Sood, Addl.AG, Haryana.

Mr. Pradeep Chhoker, Advocate,
for the complainant.

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MEENAKSHI I. MEHTA, J.(Oral)

Both the petitioners herein have sought the relief of anticipatory bail in the criminal case arising out of the FIR bearing No.180 dated 30.10.2021 registered at Police Station Sanoli, District Panipat, under Sections 308, 323, 341 read with Section 34 IPC.

Status-report filed on behalf of respondent-State by way of the affidavit of Assistant Superintendent of Police, Samalkha, Panipat, is already available on the file and the same is taken on the record.

Learned State counsel points out that in para No.3 (x) in

the Status-report, it has specifically been mentioned that accused Bhajjan @ Bhajji, i.e petitioner No.1, has been found to be innocent in the present case.

Learned counsel for the petitioners submits that in view of the above-discussed contents of the Status-report, the present petition has become infructuous qua petitioner No.1.

Resultantly, the instant petition partly stands disposed of qua petitioner No.1 Bhajjan@ Bhajji accordingly.

As regards the relief as prayed for by petitioner No.2- Dhuppe @ Tejpal, learned State counsel refers to para 3(viii) in the Status-report and points out that it has categorically been deposed therein that the offence under Section 308 IPC has been deleted and the offences under Sections 323, 341 read with Section 34 IPC have been found to be made out in this case.

Further, learned State counsel, on the instructions from PSI Arvind Kumar from the above-said Police Station, apprises the Court that in compliance of the order dated 12.11.2021 as passed by this Court, petitioner No.2 has joined in the investigation and his custodial interrogation is not required and he is also not involved in any other criminal case of the similar nature.

In view of the above-discussed submission as made by learned State counsel, the present petition is partly allowed so far as it pertains to the relief sought by petitioner No.2 and the relief of interim bail, as extended to him vide the said order dated 12.11.2021, is hereby made absolute.

However, the afore-named petitioner No.2 shall continue to join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.

(MEENAKSHI I. MEHTA)

JUDGE

04.02.2022

monika

Whether speaking/reasoned?	Yes
Whether Reportable?	No