

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-47955-2021(O&M)

Date of decision : 28.03.2022

Deepanjali and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

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

Mr.Praveen Bhadu, AAG, Haryana.

Mr.Sanchit Punia, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in FIR no.376 dated 03.10.2021 registered under Sections 354, 452, 323, 509, 506, 34 IPC at Police Station City Rewari, District Rewari.

On 07.12.2021, a coordinate Bench of this Court was pleased to pass the following order:-

“Counsel for the petitioner(s) submits that petitioner-Parmanand and his entire family have been falsely roped in the FIR, Annexure P-1, as he had submitted a complaint against a police official, who was posted at the same police station. He submits that an examination of the allegations levelled in the FIR shows that Parmanand is alleged to have caught the complainant by hand with a bad intention, physically assaulted her and gave a fist blow. He submits that allegation against Lali Devi, wife of Parmanand, is that she slapped the complainant and general allegation of physical assault have been levelled against, Deepanjali and

Pankaj, children of Parmanand.

Petition has been opposed by the State counsel as well as counsel for the complainant by inviting the attention of the Court to Paras 5 to 7 of the status report filed by way of an affidavit dated 25.11.2021 of the Deputy Superintendent of Police, Rewari, District Rewari and it has been submitted that when an attempt was made to serve a notice under Section 41 Cr.P.C. upon Parmanand, he misbehaved with the police officials.

Counsel for the complainant submits that yet another complaint given by one Ravi Dutt is pending against Parmanand.

List on 28.03.2022.

Meanwhile, the petitioner(s) shall join the investigation and would appear as and when called for by the Investigating Officer and in the event of arrest, the petitioner(s) shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner(s) shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

Photocopy of this order be placed on the files of other connected cases.

(SUVIR SEHGAL)
JUDGE

07.12.2021”

Learned counsel for the petitioners has submitted that in pursuance of the said order, the petitioners have joined the investigation.

Learned State counsel has submitted that the petitioners have joined investigation and are not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 07.12.2021, and also the fact that the petitioners have joined the investigation and are not required for further investigation, the present petition is allowed and the interim order dated 07.12.2021 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently

of the observations made in the present case which are only for the purpose

of adjudicating the present bail petition.

Pending miscellaneous application, if any, stands disposed of in
view of the abovesaid order.

(VIKAS BAHL)
JUDGE

March 28, 2022
Davinder Kumar

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