

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-49161-2021

Date of decision : 18.07.2022

Surja and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Rajinder Singh Rana, Advocate
for the petitioners.

Mr.Munish Sharma, AAG, Haryana.

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.234 dated 29.09.2021 registered under Sections 148, 149, 323, 427, 452, 506 IPC (Section 325 IPC added later on) at Police Station Phillukhera, District Jind.

On 24.11.2021, a coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel contends that the petitioners have not been named in the FIR and have been arraigned as accused on the basis of statement made by injured Jai Bhagwan. According to him, the other co-accused persons have already been released on regular bail by the trial Court.

Notice of motion for 17.03.2022.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim 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.

24.11.2021

(MANOJ BAJAJ)
JUDGE”

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

Learned State counsel, on instructions from ASI Narinder, 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 24.11.2021, 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 24.11.2021 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.

(VIKAS BAHL)
JUDGE

July 18, 2022
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No