

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

**CRM-M No. 52548 of 2021 (O&M)
Date of Decision: 09.02.2022**

Jasbir and another

..... Petitioners

Versus

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Pratham Sethi, Advocate for the petitioners.

Mr. Pradeep Prakash Chahar, Deputy Advocate General, Haryana
assisted by HC Bhim Singh.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. The petitioners, by filing the present petition under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No. 431 of 20.10.2021, which was registered against him, at Police Station Sadar Sonapat, District Sonapat, constituting therein offences under Sections 323, 452, 506 & 34 of the IPC.

2. This Court, through an order made on 16.12.2021, had granted ad interim bail to the bail applicants / petitioners.

3. Learned State Counsel, on instructions, meted to him, by HC Bhim Singh, Investigating Officer (IO), submits that the bail applicants – petitioners, have participated in the relevant investigations, and, they are rendering their fullest cooperation to the IO concerned, and, that they have also ensured, to the IO concerned, the recovery of the incriminatory weapon of offence, as became, allegedly used by them, for causing injuries to the victim. He also submits that the investigations into the offences, carried in

the FIR (supra) are complete, and, that very soon, a report under Section 173

of the Cr.P.C., would become instituted, by the IO concerned, before the learned trial Magistrate concerned. Moreover, he also, on instructions, submits that the injured / victim has fully recuperated from the injuries, as, became entailed upon his person, through alleged user of incriminatory weapon of offence, by the petitioners. Lastly, he submits that petitioners are no longer required for custodial interrogation, and, in case, their further cooperation is required, thereupon, their cooperation shall be elicited, by the IO concerned, through a written Hukamnama, being served upon them.

4. Therefore, this Court does not deem it fit to order for the custodial interrogation of the petitioners, as, thereupon, their personal liberty would become unnecessarily curtailed and fettered.

5. Consequently, this Court is constrained to make absolute the order made by this Court on 16.12.2021. However, the making of absolute of the afore order shall be subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure. The Investigating Officer concerned, is directed to forthwith ensure the furnishing before him, by the bail-applicants, of personal and surety bonds, in a sum of Rs. 50,000/- each.

6. Disposed of.

February 09, 2022

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**(SURESHWAR THAKUR)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>