

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-546-2023 (O&M)
Date of decision: 27.03.2023

Jitender and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bhupander Singh Ghanghas, Advocate
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Lajpat Rai Sharma, Advocate
for respondents No.2 to 5.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.669 dated 08.11.2022 under Sections 307, 323, 427, 506 and 34 of the Indian Penal Code, 1860, registered at Police Station Urban Estate, Hisar, District Hisar.

Vide order dated 16.01.2023, the petitioners had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioners submits that it is a case of version and cross-version wherein both the parties received injuries at the hands of each other. In support of his submissions, learned counsel has placed on record the MLR of petitioner No.2- Deepak wherein the factum of he having received some injuries finds reflected. Learned counsel further submits that the petitioners do not have criminal antecedents and are ready to join investigation and cooperate with the investigating agency.”

Learned counsel for the petitioners submits that in compliance of order dated 16.01.2023, the petitioners have joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Sikandar Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioners are not required for further investigation much less for their custodial interrogation.

In view of the above, the petition is allowed and interim order dated 16.01.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

27.03.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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