

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.201)

CRM-M No. 1683 of 2023

Date of decision : 02.05.2023

Neelam @ Suman and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sukesh Kumar Jindal, Advocate for
Mr. Sansar Kundu, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

(1) The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.392 dated 26.11.2022 registered under Sections 148, 323, 341, 324, 506 and 427 IPC read with Section 149 IPC at Police Station Julana, District Jind.

(2) On 12.01.2023, this Court had passed the following order : -

“Learned counsel for the petitioners inter alia contends that petitioner No.1 is a 32 year old housewife and petitioner No.2 is a 19 year old boy; both the petitioners have no other criminal antecedents; the petitioners have been falsely implicated in this case at the behest of the complainant who is a police official; no specific injuries are attributed to the petitioners' side; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, only simple injuries are attributed to the petitioners' side and that the petitioners

are also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr. Viney Phogat, DAG, Haryana accepts notice on behalf of the respondent-State.

For arguments, adjourned to 02.05.2023.

In the meanwhile subject to the petitioners' joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of their arrest in FIR No.0392 dated 26.11.2022 registered under Sections 148, 323, 341, 324, 506 and 427 read with Section 149 IPC at Police Station Julana, district Jind, they shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

(3) Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioners have joined and cooperated with the investigation and that their custodial interrogation is not required by the State.

(4) After considering the submissions made on behalf of the petitioners as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioners abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 12.01.2023, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

02.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No