

CRM-M-20189-2022 (O&M)

Date of Decision: 27.01.2023

Avtar Singh and others

..... Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Narinder S. Lucky, Advocate and
Mr. Parveen Sharma, Advocate, for the petitioners.
Mr. B.S. Virk, Deputy Advocate General, Haryana.
Mr. Tejas Bansal, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in FIR No.80 dated 18.04.2022 registered under Sections 148, 149, 323, 452, 506 IPC at Police Station Naggal, District Ambala.

By virtue of the order dated 17.05.2022, while granting interim protection, the petitioners were directed to join investigation.

It has been contended by learned counsel for the petitioners that the petitioners have joined the investigation and fully cooperated and thus, the interim order may kindly be made absolute.

Learned State counsel, on instructions from SI Baryam Singh, has affirmed the fact that the petitioners have joined the investigation and submitted that they are no more required for further investigation.

Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioners.

Learned counsel for the petitioners has further submitted that offence under Section 325 IPC was added lateron. He submits that the learned

Additional Sessions Judge while deciding the petition filed under Section 438

Cr.P.C., has already mentioned offence under Section 325 IPC, however, inadvertently he could not mention the same in the headnote of the present petition. He prays that the offences in the headnote may be read in addition with offence under Section 325 IPC.

Learned State counsel submits that he has no objection to the same.

In these circumstances, the present FIR be read under Sections 148, 149, 323, 452, 506 IPC alongwith Section 325 IPC.

In view of the above, the order dated 17.05.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

27.01.2023
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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:Yes/No
Whether Reportable	:Yes/No