

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208 CRM-M-30533-2023
Date of decision: 03.08.2023

Nabab @ Nawab ..Petitioner

Versus

State of Haryana ..Respondent

CRM-M-30535-2023

Sukhpal ..Petitioner

Versus

State of Haryana ..Respondent

CRM-M-30563-2023

Ompal ..Petitioner

Versus

State of Haryana ..Respondent

CRM-M-30543-2023

Jony @ Jogindra ..Petitioner

Versus

State of Haryana ..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Parveen Kumar, Advocate for the petitioners.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

AMAN CHAUDHARY, J.

1. On 15.06.2023, this Court had passed the following order:-

“The present petitions have been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioners in case FIR No.105 dated 29.05.2020, registered under Sections 307, 323, 148, 149, 325, 201 IPC and Section

25, 54 of Arms Act at Police Station Sanoli, District Panipat.

Learned counsel contends that there was a fight that took place between two groups wherein both the parties have received injuries, however, no cross DDR has been registered. As per the allegations in the FIR, all the accused, including the petitioners were alleged to have caused injuries to Shiv Charan and Mahipal. The co-accused who were ascribed a similar role as that to the petitioners, have already been granted interim bail and interim anticipatory bail vide orders dated 09.05.2023 and 05.06.2023, Annexures P-4 and P-5 respectively. He further submits that the petitioners are ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Dhruv Sihag, AAG Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioners are directed to join the investigation on or before 22.06.2023. In the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioners do not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 03.08.2023.

A photocopy of this order be placed on the files of connected cases.”

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.
3. Learned State counsel on instructions from SI Krishan Kumar affirms the factum of joining the investigation by the petitioners

and cooperating with the investigating agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners are allowed and the order dated 15.06.2023 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

6. Photocopy of this order be placed on the connected files.

03.08.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No