

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37161-2023
Date of Decision: 11.10.2023

KURDA RAM AND OTHERS ... PETITIONERS
V/S
STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

* * * *

VIVEK PURI, J. (ORAL)

1. On 01.08.2023, following order was passed:

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No.274 dated 13.07.2023 registered under Sections 323/354-D/452/506/34 IPC (Section 354-D has been deleted and Section 354 IPC has been added) at Police Station Sadar Narnaul, District Narnaul.

2. Learned counsel for the petitioners contend that petitioner No.1 is aged about 68 years and he had advanced a sum of Rs.90,000/- to the husband of the complainant. Besides, petitioner No.1 had contested the Panchayat Election which he lost by 13 votes. The FIR has been lodged with an intention to defeat the monetary claim of petitioner No.1 and also on account of political rivalry. Moreover, CCTV footage does not indicate that any of the petitioners had inappropriately touched the victims. Rather, it indicates that the complainant party had inflicted injuries upon the persons of the petitioners.

3. Notice of motion.

4. Mr. Ranvir Singh Arya, Addl. AG, Haryana accepts notice on behalf of the respondent-State and seeks time to get instructions and submit reply in the matter.

5. Adjourned to 11.10.2023.

6. Meanwhile, it is directed that in the event of arrest, the petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer

subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C. ”

2. Status report by way of affidavit of Prabina P, Assistant Superintendent of Police, Mahendergarh, District Mahendergarh on behalf of the State has been taken on record.

3. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

4. Learned State counsel, on instructions from HC Suman, has submitted that the petitioner has joined the investigation and his custodial interrogation is not required.

5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.08.2023 is made absolute.

11.10.2023

Janki

(VIVEK PURI)
JUDGE

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