

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

281

2023:PHHC:138510

CRM-M-41364-2023

Date of decision: October 30th, 2023

Harsh and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashish Grewal, Advocate
for the petitioners.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the present petition filed under Section 438 Cr.
P.C. is for grant of pre-arrest bail to the petitioners in case FIR No.184
dated 19.06.2023 registered under Sections 148, 149, 323, 324, 427 and
452 IPC (Section 325 IPC added later on) at Police Station Sector 17
HUDA, Jagadhri, District Yamuna Nagar.

Vide order dated 22.08.2023, 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 contends that there was a
delay of 5 days in lodging the FIR and it was only to
settle the score. The offence under Section 452 IPC is
not made out, inasmuch as, the alleged occurrence
took place in the house of the wife of co-accused
Sarjan Singh, who has been granted interim
anticipatory bail by this Court vide order dated
01.08.2023, Annexure P-2. Petitioner No.4 was not
named in the FIR, while no specific injury has been*

attributed to petitioner No.1, and petitioner Nos.2 & 3 had been attributed fist and kick blows. The petitioners are not involved in any other case. They are ready and willing to join the investigation as and when required by the investigating agency and will also cooperate.”

Learned counsel for the petitioners submits that in compliance of order dated 22.08.2023, the petitioners have joined investigation and cooperated with the investigating agency.

Learned State counsel does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He 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 22.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

October 30th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No