

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.54086 of 2023 (O&M)

Date of decision: 4th March, 2024

Joga Singh & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Chaudhary, Advocate for the petitioners.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana
for the respondent/State.

Ms. Kirandeep Kaur, Advocate for
Mr. H.S. Maan, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of bail under Section 438 Cr.P.C. in case Criminal Complaint No. 155-1 of 2016, dated 06.11.2020, under Sections 307, 325, 148, 149, 506 IPC wherein learned Additional Chief Judicial Magistrate, Fatehabad has summoned them to face the trial in the aforesaid complaint registered at the instance of respondent No. 2.

2. On 18.12.2023, the following order was passed by this Court:

“Learned counsel for the petitioners, in compliance of order dated 29.11.2023, has placed on record the Medico Legal Reports (hereinafter to be referred as 'MLR's') of all the petitioners, who too received injuries in the occurrence in question. Learned counsel, while drawing attention of this Court to the respective MLRs of the petitioners, has

reiterated that all of them had received multiple injuries on their person, which is evident from a bare perusal of the MLRs and almost all the injuries sustained by the petitioners were lacerated wounds on their heads and other vital parts of their body. Learned counsel for respondent No.2 has, however, opposed the prayer and submissions made by the counsel opposite for extending the concession of anticipatory bail to the petitioners in the complaint in question by urging that in fact petitioners were the aggressors and the injuries had been inflicted by the complainant party in their right of their self defence.

Learned counsel for the petitioners has, however, controverted the submissions made by the counsel opposite and has submitted that even assuming for the sake of arguments, though not conceded, wherein injuries had been inflicted by the complainant party on the person of the petitioners, seeing the nature and number of injuries, the complainant party had clearly exceeded their right of private defence.

Adjourned to 19.2.2024.

In the meantime, the petitioners are directed to appear before the trial Court within 10 days from today. On their appearance, they shall be admitted to interim bail to the satisfaction of the trial Court. A copy of order be produced on the next date of hearing.”

3. Learned counsel for the petitioners submits that in compliance of the order dated 18.12.2023, the petitioners had appeared before the learned trial Court and thereafter, had been admitted to interim

bail. In support, he has placed on record a copy of the order dated 20.12.2023 passed by the learned trial Court.

4. Learned State counsel, on instructions, does not dispute the submissions made by the counsel opposite.

5. In the circumstances, the petition is allowed and the interim order dated 18.12.2023 is made absolute.

(MANJARI NEHRU KAUL)
JUDGE

March 4, 2024
rps

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