

221(2) **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-61485-2023 (O&M)
Date of Decision: 15.01.2024

Baldev Singh @ Dev Buttar and another Petitioners

Versus

State of Haryana and another Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Karambeer Singh Randhawa, Advocate,
for the petitioners.

Mr. Kiran Pal Singh, AAG Haryana.

Ms. Neha Bindal, Advocate,
for respondent No.2/complainant.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioners in FIR No.464 dated 26.05.2023, under Sections 147, 323, 324, 341, 506 & 148 read with Section 149 IPC (Section 307 IPC added later on) at Police Station, Civil Lines, Sirsa.

2. Status report dated 11.01.2024 by way of affidavit of Sh. Jagat Singh, HPS, Deputy Superintendent of Police (HQ), Sirsa filed on behalf of respondent No.1-State is taken on record. Registry to tag the same at appropriate place.

3. Allegations are that on 25.05.2023 at about 10.00 a.m., petitioners along with co-accused caused injuries to complainant Harman. However, the matter has now been compromised between the parties i.e. petitioners as well as respondent No.2/complainant at their own level.

4. This Court vide order dated 20.12.2023, granted interim bail to petitioners and the same reads as under:-

“Contends, inter alia, that matter has been compromised between the petitioners and complainant/respondent No.2. Also submits that co-accused Charanjit Singh @ Charana Gill has already been granted the concession of interim anticipatory bail in CRM-M-58478-2023.

Notice of motion.

Mr. Kiran Pal Singh, AAG Haryana, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 15.01.2024.

In the meanwhile, petitioners shall join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

5. Learned counsel on instructions from petitioners submits that in pursuance of the aforesaid order, they joined investigation and their custodial interrogation is not required by the Police.

6. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioners is not required, at this stage.

7. Learned counsel for complainant has also acknowledged the factum of compromise and states that she has no objection in case the petitioners are granted concession of pre-arrest bail.

8. In view of above, interim order dated 20.12.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

9. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
11. Disposed off accordingly.
12. Pending criminal misc. application(s), if any, shall also stand disposed off.

15.01.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No